

Racism Report 2001

Case reports on racist excesses and structures in Austria

Focus: Awareness-raising activities

Issued by



Zivilcourage und Anti-Rassismus-Arbeit

with

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ANAR-Report 2001

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In memoriam Eva Köckeis-Stangl.

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Introductory remarks

Foreword

ZARA defines the area of work of its counselling office for witnesses and victims of racism as follows:

Racist discrimination means that a person is disadvantaged in any way on the basis of skin colour, language, appearance, religion, nationality or origin.

This can mean: disadvantages, verbal abuse or physical attacks which take place when looking for work or housing, in locales and shops, in contact with the authorities and with members of the public, in public space and also in the media. All incidents which are relevant to this definition which took place between 1 January and 31 December 2001 and were reported to Austrian counselling offices have been taken into account when compiling this report on racism. A selection has been made of these hundreds of cases. The cases described in the Racism Report 2001 are a small insight into the broad field of racism in Austria. To avoid any misunderstanding we state explicitly that the cases reported here are in no way quantitatively representative! A number of NGOs – see below – have again contributed to this report as they did in 2000. These reports are marked with the logo of the organisation. These are mostly organisations which during the course of their main activity are regularly confronted with the 'everyday' racist experiences of their clients.

A **new feature** of this year's report is that experts have been invited to write commentaries. These **expert commentaries** follow each section describing a particular social field (authorities, public space, police etc.). These commentaries are very different and are intended to provide a context for the cases and serve to widen horizons. They are either 'opinion', 'vision' or 'a different perspective'.

Another **new feature** of the Racism Report 2001 is that in addition to its function as a report, it also has a special focus. After many requests from the sphere of education, we decided to take a closer look at **awareness-raising activities** and we think that the articles here are both informative and inspirational.

In addition, for this year's report we asked one of the woman in the country with the most civil courage to talk about her experiences: see the **Interview with UTE BOCK**.

What is missing this year is a new and exciting list of demands from ZARA. This is because nothing in the field of legislation has changed during the last year. And since we can be at least as boring as the legislature, we decided simply to repeat ourselves: our demands therefore remain the same as those in the Racism Report 2000.

Verena Krausneker/ZARA
Editor

ANAR

e/dö



FIBEL

**FORUM
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antirassismus**

**Frauen
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GggR

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**LICRA
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Statistics and comments

From the more than 300 cases dealt with and documented in 2001 by the ZARA Counselling Centre for Witnesses and Victims of Racism, half were reported by men and half by women. This indicates that our service is being used by both men and women. The service of the ZARA Counselling Centre for Witnesses and Victims of Racism is also available to anonymous callers: nine people called anonymously during 2001. 34% of clients reported incidents in which they were personally involved, 41% reported incidents which they had witnessed, experienced or which had taken place in their circle of acquaintances. This is to be welcomed for two reasons: firstly, it is clear that many people regard themselves as 'affected' even if they are not the direct target of racial discrimination, racist abuse or a racist attack and secondly, they apparently think it necessary to take action against it. Correlating with this is the over-proportional number of reports of incidents in public space. There are obviously more people showing increased sensitivity to racism who do not want to be passive observers but to take responsibility for their social environment and strive for change. The other 25% of calls were so-called info calls (see definition below).

Categories

Public space refers to all incidents which occur in places which are open to a not clearly defined circle of people such as the street, public transport, shops etc. This field is the largest this year with 53%.

Public authorities and institutions refers to incidents occurring between individual people and public authorities and institutions (except the police) and their representatives, such as government offices, courts and prisons, schools etc. 15% of all cases reported to ZARA in 2001 took place in this field.

Housing refers to reports about incidents in the field of housing, this year 6%.

Work contains reports of incidents which have to do with 'work' in the widest sense – the job market, looking for work, colleagues, job advertisements etc., this year 5% of cases.

Police contains all reports which relate to the police – usually individual officers – in some form. These made up 21% of all reports.

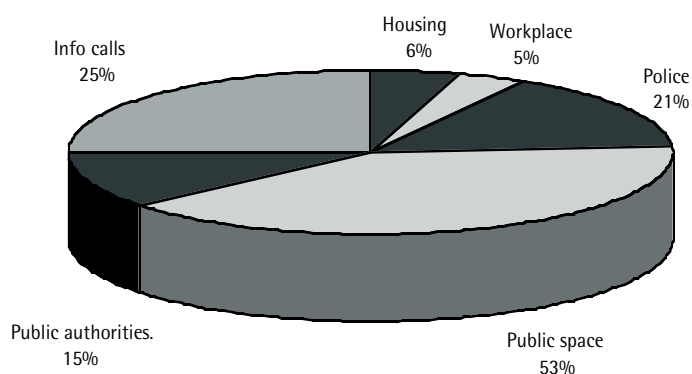
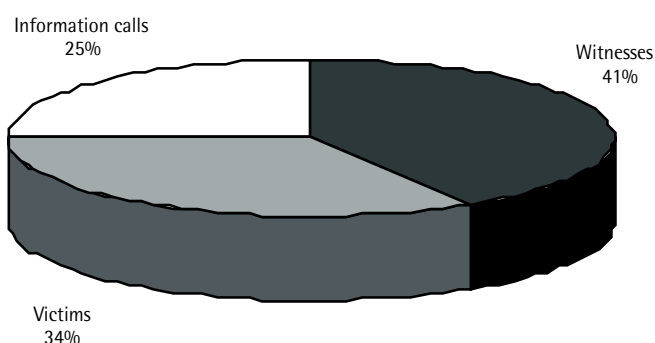
Info calls are calls from people asking for information. People working in the field of education and students frequently used ZARA's services in 2001. In addition, many people come to ZARA who are looking for the right organisation to help them with their problem and are then directed to a relevant counselling organisation by our team. Calls from journalists who need legal information or a statement for a 'story' also come into this category. These info-calls are not described in this report.

Remarks

- In the description of cases the main focus in the Racism Report is on the facts themselves. Subsequent counselling, activities, counter-measures and other work carried out by the ZARA team or other counsellors is – if at all – only briefly described.
- It is part of the job of ZARA counsellors to check the truth of incidents reported to them on the one hand, and on the other also to see the situation from the viewpoint of the 'opposing party' or a third party. However, counsellors cannot guarantee that all information which they receive – from various sources – corresponds to 'the truth'. The Counselling Centre for Witnesses and Victims of Racism exists to serve individuals – in accordance with the mission set out by ZARA itself. The interests of the individual who approaches the counselling centre take priority, but the reports should not be questioned per se on this account. They are most certainly looked at critically but primarily they must be taken seriously.


ZARA seldom passes on 'cases' to journalists. This is only done if it seems a useful step to have details of the case publicised for investigation purposes or if the client wishes this to be done.


Scientific processing, reworking and other 'interesting things' for which the 'material' that our counsellors have access to could be used comes in last place. For us it is the people affected and their concerns which are of primary importance.





Cases

Public Space

 On X. X. 2001 at around 11.30 p.m. Mr. and Mrs. E. were on their way home. At Heiligenstadt underground station in Vienna they were waiting for a bus inside the station building because it was raining. Mrs. E. was sitting on the protective bars near the doors and her husband was standing a little way away. A man of around thirty stood in front of Mrs. E. and held out his hand for a handshake. Since the man was obviously drunk, Mrs. E. did not react. After he repeatedly asked for a handshake, Mrs. E. finally held out her hand in order to bring his pestering to an end. At the same time, the unknown man said that he wanted to greet 'in the German way' and looking at Mr. E., who is of west-African origin, said, 'Heil Hitler'. Repeating this greeting he approached Mr. E. and began singing German nationalist songs. He stood about half a metre in front of Mr. E. loudly insulting 'Niggers' and showed what in his opinion should be done to them - he mimed strangling himself. Mrs. E. was worried and she stood up and positioned herself beside her husband. The employee of the Vienna Public Transport Authority who was sitting in the CCTV monitoring room directly behind the three of them looked out of the window, laughed and then turned away. When the bus arrived Mr. and Mrs. E. got onto the bus followed by the man. He sat opposite them and apologised for what had happened saying that he was brought up that way. He had nothing against 'Niggers', his sister also had one as a partner. He repeated his apology and then wanted to invite Mr. and Mrs. E. for a drink. However, they did not accept the invitation. As Mrs. E. reported this experience she described her outrage at the reaction of the employee of the Vienna Public Transport Authority on the one hand and her shock and fear on the other. She asked herself - and us - how she can protect her husband in a country in which such occurrences happen repeatedly.

 The teenager M. wrote that her Brazilian friend (13 years old) was regularly stopped after school by some older teenagers who called her a 'foreigner' and made several cuts on her arm with a knife. The victim was in a panic and was afraid of protecting herself because she feared that this would lead to greater problems. Ms. M. wanted to know what she should do and how she should approach the police. Since both girls went to school in Freiburg, we put them in touch with a local organisation which took over the personal counselling.

 Mrs. B. reported an argument in a park with another dog owner. While trying to separate their fighting dogs the Alsatian owner was slightly injured on his hand by one of the dogs and said he wanted to go to the police. Mrs. B. agreed but asked him to walk a little distance behind her since she was afraid of the aggressive man. He followed her with a string of insults such as. 'Shit foreigner, come here,' etc. The insults continued until Mrs. B. turned around and said, 'You are talking racist shit!' The man then began to attack her with his knee, she fell to the ground and he continued kicking her. Mrs. B. turned to the park-keeper and a group of teenagers. The park-keeper said that he knew the Alsatian owner, who had a criminal record, and that he had had a problem with him two years previously. The police were called, arrived on the scene and made notes. Mrs. B. was taken to the Lorenz-Böhler hospital where her injuries were confirmed. Some time later as she had an appointment with the police, she discovered that she herself had become a 'suspect' since the man had also reported her for negligent bodily harm.

 Mr. H. sent a report of a racist attack: 'Vienna, 14th district, bus stop 'Novotel' of the 151 bus (Auhof Center - Hütteldorf), 05.04.2001, 20:00-20:20. I got onto the 151 bus going towards Hütteldorf at the Auhof Center at 19.55 and took a seat towards the back of the bus. Behind me there were three youngsters aged around 18, two boys and a girl. There was only lighting at the back of the bus. There were approximately 20 passengers on the bus. Shortly before the 'Novotel' bus stop I was disturbed in my reading by the loud voice of a man of about 55 years old who was sitting in the middle of the bus near the central doors. I could clearly hear him saying, 'Foreigners! Scum! I'm a proper Austrian! Come here and I'll put a knife in you! [...]' The girl behind me called to the front, 'He's been stealing from Billa!' (a supermarket). At this point I must mention that the youngsters appeared to be of Turkish or southern-Slav origin. The bus then stopped at the 'Novotel' bus stop. The man stood up and it appeared that he intended to get off the bus. However, he turned towards us, called out, 'Scum' and threw an open can of beer. One of the two boys jumped up in his direction and then called out, 'He's got a knife!' There was a fight. The obviously drunk man kicked the youngster. Because of the lack of space I could not move forward in the bus and called out, 'What are you doing? Get off the bus!' The youngster managed to push the man out of the bus. I reached the door area and saw how the man was hitting someone outside the bus. [After a brawl the witnesses and one youngster managed to pin the man to the ground.] I spoke to the man to calm him down and called into the bus that someone should call the police. Another passenger got off the bus. In the background, the bus driver was phoning the police. The man began to calm down a little and then attempted to make light of the situation. Only then did I notice

that another girl of about 18 years old was sitting on the bench in the bus stop shelter, bleeding from the face. The girl from the bus was taking care of her. She was obviously shocked. The other two youngsters and myself managed to hold the man for about 10 minutes until the police patrol car arrived. A few minutes later two other police-cars arrived. The man was taken away in handcuffs in a police-car, calling the police criminals. When the police searched the man they found the knife. Then the police took the personal details and short statements from the people involved. The youngsters said that all four of them worked at the Billa supermarket at the Auhof Center and that the injured girl had previously caught the man attempting shoplifting. He had then threatened to kill her. In my short statement I drew the attention of the police to the racist background to the incident. I am not sure whether this information was taken seriously enough. The injured and frightened girl, who was smeared with blood, was taken away in an ambulance accompanied by her colleagues. The bus continued its journey to Hütteldorf after approximately 20 minutes. On the Friday I phoned the criminal police at Hietzing and once again drew attention to the racist background to the incident. Once again I had the feeling that this fact was made light of by the police.'

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Ms. B., a school pupil, reported an incident which she experienced at the Floridsdorf swimming baths. She was swimming with her friend from Sri Lanka and heard how three men were talking about 'Nigger pigs'. She became involved and told the men that she did not want to hear that kind of rubbish. The men then insulted her and one pushed her. However, she was not injured. She was most concerned that this incident should be documented.

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Mrs. Y. reports: 'I was born in Turkey and have lived in Vienna for 10 years. What I experienced the day before yesterday will remain with me for the next ten years of my life in Vienna. As I was walking along a street in the 7th district with three friends speaking Turkish, a man came directly up to us and shouted, 'Enough of you and enough terror,' and hit me in the face so that I fell to the ground. The man was restrained by my friends and after short questioning by the police he was released without identification papers, totally drunk and in an extremely excitable condition (...)'

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Mrs. H. was at the children's play area on Hammerlingplatz in the 8th district of Vienna. Suddenly a woman came running up to her and called out that her young child (3 years old) was being strangled and threatened by a man ('eyes sticking out') – he had said something about 'shit foreigners'. The upset woman was wearing a headscarf and hardly spoke German. Mrs. H. and a youngster called the police who arrived very quickly on the scene. The man remained sitting quietly the whole time and also did not object to being questioned by the police. Mrs. H. was outraged that apparently no charges were being pressed. When we asked the police about this, the policeman who was present in the park was not available but the officer on duty told us that the policeman, after speaking to the victim and the perpetrator, apparently could not be sure that the law had been broken and had therefore made no arrest. A policewoman who had been involved said that the man was only a stupid drunk, she herself had children and found his behaviour threatening but it was neither clear to her exactly what had happened or whether there were really grounds for a charge.

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Mrs. K. was furious as she told the following story. 'At half-past two in the afternoon I was in a supermarket in which there are extremely narrow aisles. A relatively young man with an enormous sports bag pushed past a man, brushed against the wine bottles on the shelf with his bag and said to the black man, 'Watch out, you Wog!' The man said nothing, I called after the young man, 'Excuse me, what kind of language is that?' He disappeared around a corner. The black man looked at me in astonishment. Later I had to pass the younger man, smelt alcohol on his breath and therefore did not enter into further discussion with him.'

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Mr. V. is an Austrian citizen, has West-African and Austrian forefathers, is married and has three children. He described how, on X.X.2001, he was driving on a road in Burgenland with his family and after a traffic manoeuvre he was challenged to stop by another driver. 'As I stopped, the man attacked me with xenophobic insults. After pushing me several times and threatening me with a piece of cable about 40 cm long and 1.5 cm thick, he hit me hard twice over the head with this weapon. I managed to defend myself against more blows and to take the piece of cable from him. During this scuffle his female passenger hit me after attempting to set her Alsatian mongrel on me with an unambiguous order. To divert the attention of the dog my wife let our Alsatian out of the boot of our car. Afterwards I tried to inform the police. When I could not do this I drove to Neusiedl and reported the incident at the police station. The policeman on duty looked at the weapon and photographed it. On my request, he forwarded this information to the police station in Gratwein, asking them to take appropriate action. The official doctor on duty, Dr. Heribert Lischig, examined the head injuries on the evening of the same day. The general practitioner, Dr. X in X attested to a haematoma on the head on X.X.2001 (...)'.
On X. X. 2001 Mrs. H. was travelling on the underground, where at the time there were only a few passengers. She saw how a man, presumably of Indian origin, took a seat which an 'Austrian' couple wanted to sit on. The Indian man was then subjected to racist insults from the couple – he was only a guest here and should give

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up his seat. However, the man of Indian origin did not stand up and answered quietly in English that he had the right to sit there because there were no seat reservations on the underground. As the train passed the next stations there was an argument between those involved until the (presumably) Indian man got off the train. During this time, none of the other passengers in the carriage said anything. As the man who had been insulting the Indian and Mrs. H. got off at the same stop, she said to him, 'Well, do you now feel like you've won?' The man then pushed her, a second man became involved and called her 'a shit social-democrat who wants to help everybody'. After more verbal attacks from both men, Mrs. H. threatened to call the police and they disappeared in the crowd. Mrs. H. reported this incident for personal reasons because, as she said, her family was part of resistance movements during the second world war and she was sad about current developments in Austria.



Ms. N. Reports what she and her friend experienced on their way home with the last underground train on X. X. 2001. 'As we had to get out at the last stop, Michelbeuern, we saw that three youths got out of the front carriage and were shouting wildly at the female train driver because she wouldn't take them two stations further. At first, I thought that the three of them were drunk. But as we got nearer we heard how they said, 'If Hitler was still alive, you would have to take us home and then we could all fuck you stupid!' And then they came out with slogans like, 'Hitler will come to take revenge for us all' etc.' The youths continued shouting at the train driver and when Ms. N. and her friend heard them saying that they intended to wait for the driver and attack her, they asked, 'What nonsense are you talking?' They were then attacked and beaten up. Ms. N. was completely helpless and horrified that other passengers simply walked past her and her friend who was lying on the ground. Four other youths came from a park and helped them to drive away their extreme right-wing attackers. Ms. N. is especially dismayed that 'someone can be beaten up for attempting to speak up against this kind of thing' and 'that the three men who were in the same carriage as us simply walked past!' However, she did not report the incident to the police.



Ms. J. was waiting for a bus on her way home from work on a Wednesday evening at 8.25 p.m. at the Floridsdorf/Franz-Jonasplatz bus-stop of the 33B. About fifteen other people were also waiting there. Two drunk men came out of a nearby café, they approached Ms. J. slowly and unsteadily. After walking past her and then noticing that a woman with a headscarf was standing there, they turned around. One of them pulled at her headscarf from behind and said, 'Now take a look at this, a woman with such a nice little headscarf, they all want to see us dead. It's them who should all be killed.' To break off any contact Ms. J. said, 'What do you want from me? I don't even know you. Kindly, leave me in peace!' The man then turned on her and threatened to strangle her. He grabbed her coat and made humiliating and perverse suggestions. She answered, 'Be careful what you do because you are drunk and if anything happens to me the police will be looking for you and my family won't be far behind them.' Ms. J. pushed the man away and moved to the side. One man said, 'Go on, piss off, you're all not worth it anyway.' Both men then left shouting loud abuse. Ms. J. sums up the experience: 'The most dismaying thing about it all was that nobody helped and that for that time you are alone – even though you are not alone. Fifteen people were only watching and some of them were even amused.'



As a worker for Frauen Aktiv I am responsible for registrations. As this was taking place in a room next door some girls joined me while others were playing outside in the courtyard. The sisters J. (about 9 years old) and K. (about 12 years old) came in from outside and told me that their younger brother had annoyed a girl in the courtyard and that she had then fetched her mother. Both girls were now frightened. As I tried to reassure them, the mother, Mrs. K., stormed into the building in a fierce rage. She saw J. and K. standing with me and shouted at K., 'Come here you and I'll smack you one.' K. began trembling and hid herself behind me. As I was about to say something to Mrs. K. she shouted at me, 'You're a shit foreigner too! We've had enough of you. Piss off back to your country!' Only when someone appeared from the next room and asked for quiet because she was being disturbed by the noise did Mrs. K. stop shouting and left the building. In contrast to the three children and me, that person is white, i.e. a majority Austrian. I reported the incident to our director on the same day. It was later discussed at a team meeting and we drafted a letter to Mrs. K. A copy was also sent to the responsible person in the pedagogical office of our association. The necessity of developing strategies in dealing with racist violence (both physical and psychological) in general and that directed against oneself at the work place – i.e. in the field of work – was also discussed.



Mr. G. reported that lighters with Hitler and Third Reich motifs were being sold in a second-hand shop in the 21st district of Vienna. The police station responsible took care of the case.



During the Vienna Council elections in March 2001, Mr. A. was abused by a party worker of about 40 years old at an Austrian Freedom Party information stall in the pedestrian zone at Victor-Adler Platz. 'Hitler forgot about you – but you and Ariel, your turn will come.' The incident could not be officially reported since, according to the police, the description of the man was 'not exact enough'.



Mr. G. and his brother-in-law were accused by a couple of having damaged their car while driving off from a petrol station. Since no damage was to be seen and Mr. G. was not prepared to exchange personal details, he preferred to call the police. He was then abused, 'Fucking Jews, you behave like arseholes!' Mr. G. became afraid and then wrote his address and personal details. Under continuing abuse, Mr. G. got into his car. Through the open window he was hit on the back of the head. His forehead hit the steering wheel and his glasses fell to the floor. Next day, Mr. G. went to the police who acted cooperatively and recorded the incident.



Ms. T. was pushed aside by an elderly man who was intent upon reaching one of the few free seats in the underground. 'You are not a good girl!' he said to her several times in English. 'Do you have a culture?' Ms. T, who emigrated to Austria from Senegal, answered him furiously in German, 'You think that I have no culture? What culture have you got? You only have pork and wine in your head!' The man shouted at her in English, 'You should not be in Austria! You must live in Africa!' As Ms. T. saw that he was about to get off the train, she gave him a stern look and said in German, 'Out!' He was so incensed that he wanted to hit her but then restrained himself and got off the train.



At a sale in a shoe shop. Because the shop was so full, only a certain number of customers were let in at a time. A woman of about 50 years old complained that there were two queues and not just one. As Mrs. D. and her two friends (all three are immigrants to Austria from West Africa) were in front of this woman in the queue, she became furious. 'Look at that! The blacks are here – and they're in front of us! That's not normal!' Mrs. D. heard that the woman spoke with a foreign accent and asked, 'Why do you say 'the blacks'? We're both foreigners. What are we doing here? We both have the same aim, don't we?' However, the woman did not calm down and Mrs. G.'s friends said to her; 'Forget it, this woman has a problem.' As we spoke about this incident later with Ms. G. she told us that she reacts in various ways to racist comments or abuse. Sometimes she reacts but sometimes she ignores it, like her friends, for reasons of self-protection or simply because she finds it too stupid.



On X. March 2001 at around 9 p.m. the two brothers A. and A. (17 and 14 years old, Iraqi origin, recognised convention refugees, in Austria since 1996) were brutally assaulted on their way home from an ice-cream parlour on the corner of Van-der-Nüll-Gasse/Troststrasse in the 10th district of Vienna. A passer-by called the police on his mobile phone. The younger of the two brothers was admitted to hospital with a head wound and contusions on his back, the elder had a broken leg. The attackers, three young Austrian men, who had been known to the police for a long time as extreme-right wing radicals, ran away but were later found. They were arrested and sentenced. (One of the three was past the age of majority and was given a prison sentence.) The incident was also reported in the media. The racist background was mentioned in the newspapers 'Kurier', 'Der Standard' and by the ORF (Austrian Broadcasting Corporation) but NOT in the newspaper the 'Kronen Zeitung'.



On X. December 2001, Mrs. H. was waiting at the check-out in a large store to pay for a pair of trousers she wanted to buy. In the queue behind her a middle-aged man was complaining that the cashiers were too slow. Mrs. H. said that she agreed with him but at the same time pointed out that they also had to work very long hours and that it would be better not to complain. The man became upset and said that Mrs. H. should mind her own business and if she didn't like what he was saying, she should 'go home' since she was a foreigner. A longer discussion then began between the two of them. Finally, Mrs. H. called the police and reported that a man was abusing her as a foreigner and she wanted to report the incident. The police were very friendly and two policemen arrived on the scene. However, in the meantime the man had disappeared from the shop, laying the items he had wanted to buy on the counter and remarking that he didn't need to wait. The outcome was that the policemen did not record the offence because they thought there was nothing they could do with Mrs. H.'s statement.



Mr. S., with one male and two female friends, wanted to go into the Mexican locale, 'Maria's Roses' (Biberstrasse, 1010 Vienna). The door-man stopped them and said that only the women could come in. In answer to the question why the men were not allowed inside he said, 'That's just the way it is.' After further questioning he said that a new instruction from the manager was to have fewer foreigners in the locale. The door-man said that he could do nothing about it – he was also not born in Austria and had to follow the instructions of the manager. As Mr. S. countered that he was not a foreigner he was given the answer that he shouldn't start saying he was not a foreigner because he looked exactly like one. Mr. S. and his three friends were forced to spend the evening somewhere else. The Forum gegen Antisemitismus (Forum Against Anti-Semitismism) passed the case on to ZARA. Together with the young people we made a complaint in accordance with Art IX, Abs 1 Ziffer 3 of the Introductory Provisions to the Code of Administrative Procedure. The complaint is currently being processed by the responsible officer at the local council office.



Mr. O. and two friends, all Austrian citizens of Nigerian origin, wanted to go for a drink in the 'Irish Pub' (Laxenburgerstraße 52, 1100 Vienna). They ordered drinks but there was no reaction and they were not

served. When they asked a waitress why not, they were told that on orders from the manager she was not allowed to serve them. Other guests standing around found this amusing and recommended them to go to another district in Vienna. Mr. O. asked to speak to the manager who told him that 'people like him' would not be served there. Mr. O. was shocked but left the locale because he did not want to get into trouble. We filed a complaint under the Introductory Provisions to the Code of Administrative Procedure.



Mrs. G. reports that one evening she wanted to go to the locale 'Tenne' with her husband, an Austrian of Egyptian origin, and his cousin. The woman at the entrance wanted to see a membership card and said that without this they could not be admitted. They then wanted to go to the discotheque 'Queen Anne', where they were also asked for a membership card and could not be admitted without one. About one week later Mrs. G. went to the 'Tenne' again, this time with a larger group of friends, all white Austrian women. Nobody was refused entry or asked for a membership card. Mrs. G. then asked about this at the entrance and was told that they had been asked for a membership card the previous week because of Mrs. G.'s foreign friends. It was a principle of the 'Tenne' not to admit foreign guests because they would apparently be rude to the regular customers who would then complain. Shortly after this conversation with the woman at the cash desk Mrs. G. and her friends saw how a black woman was also refused entrance.



Mr. M. saw how a female bank clerk at the Xxxgasse branch of Bank Austria gave a black customer a form and, when he did not fill it out immediately (he does not speak much German and tried in vain to speak to the bank clerk in English) snarled at him, 'I suppose you can write!' Since the man involved did not report the incident, we can do nothing.



At a ZARA seminar at the Vienna Integration House, a Pakistani refugee reported that he wanted to buy something in a grocer's but the shop assistant told him to leave immediately and refused to let him into the shop.



A shop in the Meidling area of Vienna attracted notice with a poster saying, 'We don't sell to Muslims'. After the intervention of those locally responsible, it was removed within a very short time.



On 26 February 2001 a shop assistant at the SPAR supermarket in Göllersdorf, Niederösterreich, which supplies goods to Sonnberg Prison refused to accept the order of an African prisoner, Mr. C. He reacted to the order with the expression, 'Nigger!'. The indignant prisoner reported the incident to the prison director. However, there was no reaction to the complaint.



Refugees from Cameroon, The Democratic Republic of Congo and Nigeria are working on the project 'Fluchtpunkte/Treffpunkte', organised by LICRA Austria. During working discussions several colleagues reported how often, in the underground or other places in public, they are verbally abused or – what is more frequent – subtly scorned. For example, on public transport other passengers move from a seat when they sit down next to them or demonstratively keep their distance. Such incidents are often reported casually and when questioned, the victims can only remember that such discrimination takes place almost every day and it is now perceived as painful reality.



More and more aggressive anti-Semitism in the audience has been seen at public discussions about the Middle East conflict. Especially since the Durban Conference and the events of 11 September 2001, many of those discussions could not save themselves from Zionist conspiracy theories. This combination of criticism of the policies of concrete countries – namely USA and Israel – with anti-Semitic stereotypes is nothing new – however, what is new is the vehemence and aggression of many statements. Especially worth mentioning is the public discussion 'Israel and the Left' at the University of Vienna on 23 October 2001, where the criticism of anti-Semitism expressed as part of a political discourse became an issue. The organisers felt themselves forced to ask members of the public to leave the hall on account of their aggressive behaviour and continuous anti-Semitic remarks.



Many women in Muslim dress or people who look oriental have reported receiving many mistrustful and hostile glances as well as feeling insecure about what is going on behind their backs. Physical attacks seem to be the exception. One report that a Turkish woman dressed in black was harassed in an underground station to such an extent that her clothes were ripped off could not be confirmed. Another young woman who was walking along the street with a companions speaking in her mother language reported that she was hit so hard that she had several bruises and grazes. Her attacker who let it be known that he felt provoked by the use of the Turkish language, was held by her companions until the police arrived. However, after her statement the police refused to record the incident.



Ms. K., a radio reporter, with two colleagues, C. and M., and an African medical student equipped with a hidden microphone, went into two locales which had been reported not to serve black people; Schwedenespresso and Café 100%. Report I: K. enters the locale, about ten guests are present, she sits at a table and orders a drink which is promptly served. A little later, A. comes in, takes a seat at the bar and orders a cola. The waitress says that isn't possible, he would need a 'VIP card' – this is a VIP club and entrance is only allowed with a VIP

card. K. remarks that she has no VIP card but was served with tea. The waitress does not react. Shortly afterwards, another reporter, C., enters Café 100% and is served without a VIP card. A. asks why he is not being served whereas the other man without a VIP card is served. A. asks if it is because he is black. The waitress confirms this saying, 'Yes, that's the reason.' C., K. and A. leave the locale. M. and C. go back, identify themselves as radio reporters (Ö3) and ask whether it is 'normal practice to refuse service to black people.' The waitress confirms this. Neither the owner nor the manager could be contacted by the radio station Ö3.

Report II: The three Ö3 radio reporters enter the locale, sit at a table near the bar and order drinks. There are two other guests in the locale. A little later as A. wants to come in, he finds that the door is locked. It seems that the waitress has locked the door from a switch at the bar. A lighted sign saying 'Closed' suddenly appears on the door. The waitress carried on as though nothing had happened. A. stands at the locked door and tries to enter the locale. The reporters draw the waitress's attention to the fact that someone wants to come in. One of the guests at the bar says, 'He's not allowed in here.' The reporters ask what the problem is and the waitress answers that the door lock is short circuited – there was some problem with the fuse. They then asked how they were going to get out of the locale. The waitress says that is now only possible through a back door. M. leaves the locale through the back door with the waitress leading the way – and wants to let M. in. The waitress then says that only guests who were already in the locale may re-enter the locale through the back door – not new guests. M. says that A. has come to the locale to meet him but the waitress says that doesn't matter and repeats that new guests may not come in through the back door. M. answers that A. only wants to warm up for a minute. That is also not possible, says the waitress. A. remains outside and M., C. and K. leave the locale. One day later the manager is contacted by telephone. However, he does not wish to comment on the incident and says that he 'is not a racist' and furthermore, 'I must tell you this, I have a criminal record.' A complaint under the Introductory Provisions to the Code of Administrative Procedure was filed in both cases.

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Zürcher Anzeiger und Informationsdienst

A similar incident to the above also happened on X. 1. 2001, in the Schwedenespresso: Mr. O. ordered a cup of tea but the waitress told him that the manager did not allow drinks to be served to 'coloureds'. If she served him she would lose her job. Mr. O. then left the locale and reported the incident at police station X.

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Ms. P. reported via email: 'I travel regularly on tramlines 52 and 49 and along both lines there are often racist slogans on the billboards at the tram stops. A series in December saying 'Niggers out!' was easily recognisable as being in the same handwriting. Today I saw 'KILL NIGGERS' written at the Diesterweggasse stop of the 52 tram. (...) Encouragement to violence against a particular group of people dramatically affects my well-being and I also do not want my children growing up in an atmosphere in which racism becomes a normal part of everyday life.' ZARA promptly organised for the slogans to be removed.

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It was reported to us that 'KILL ALL NIGGERS' was written on a wall in the underground station Babenbergegasse.

ZARA
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Ms. W. reported seeing 'ALL FOREIGNERS SHOULD BE KILLED' daubed on an advertising pillar at the corner of Märzstraße and Matznergasse. Ms. W. is shocked and makes the scrawl illegible.

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Ms. P. reported the racist daub: 'BLACK MONKEYS-DRUGDEALERS' in the front carriage of the 71 tram with the carriage number 4309.

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Ms. X. reported a large white SWASTIKA daubed on the window of an empty shop at the address: Dietrichgasse 55; 1060 Vienna.

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Report: tram stop Venediger Au, Line 21 in the 2nd district of Vienna on a poster: 'STOP IMMIGRATION' and beside this numerous SWASTIKAS.

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Ms. W. reported by phone a slogan smeared on a shop belonging to the 'Flic Flac Kindermoden' chain (a children's clothes shop) in Hütteldorferstraße. On the outer wall, which is overlaid with aluminium, 'NIGGERS OUT!' was written in black letters. She had already asked several times at the shop for this to be removed but was told that the cleaner had not been able to remove it and that it had been reported by the branch manager. It appears that the removal has not yet taken place due to the unwillingness of the owners. Ms. W. would like to report this to the police but no law exists for her to be able to do so.

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Ms. F. reported that for several weeks she could not help seeing the slogan 'NIGGERS OUT!' daubed at eye-level on the yellow outer wall of the post office in Hietzing, Vienna and asked for this to be removed. ZARA contacted the post office and it was removed a few days later.

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Ms. P. reported 'THE BLACK PLAGUE OF DRUG NIGGERS' written near the lifts at the Schwedenplatz underground station.

ZARA
Zürcher Anzeiger und Informationsdienst

Ms. S. reported that 'DESTROY NIGGERS' was written on a poster in the shelter at the Gürtel stop of the 44 tram.



Ms. G. reported seeing the racist slogan 'KILL NIGGERS' on a billboard at the Johann-Nepomuk-Berger-Platz tram stop of tramline 9 (16th district of Vienna) and asked for it to be removed.



Ms. A. reported that 'KILL NIGGERS' was daubed in big letters on a poster near the tram stop of tramline 9 at Elterleinplatz (17th district of Vienna) and asked for it to be removed.



Mr. B. reported the daub in English 'KILL NIGGER!' (sic) at various stops of the tramline O - and 'ONLY A DEAD NIGGER IS A GOOD NIGGER!' on a poster at the tram stop in front of the Breitensee army barracks. He remarked: 'These daubs remain visible for weeks if individual citizens do not practise self-help. (...) I'm not calling for the undifferentiated removal of all 'wild' posters or other graphic expressions of citizens. These can often be artistically or democratically valuable. However, racism and neo-fascism should have no place in the Vienna townscape.'



Ms. K. reported that the face of a black girl on a poster asking for donations had been covered in red letters with the word 'DEATH'.



Ms. V. reported the racist daub on a seat of tramline 49 in carriage No. 4483, 'ALL NIGGERS OUT'.



Ms. K. reported: 'On 8.6.2001 I was on tramline 49. In the second carriage - No. 1324 - on several seats was smeared, pale but clearly legible, 'AGAINST THE JEWISH PIGS' and 'SICK TURKISH PIGS OUT VERMIN WOGS'.



Ms. R. reported: '14th district, Gewista billboard opposite Reinlgasse 5: 'KILL NIGGERS' and in the 16th district in the shelter at the tram stop Römorgasse of the tramline 44: 'NIGGERS GET BACK TO AFRICA'.



Ms. S. writes via email: 'For the past few weeks on my way to work and in the area where I live I have been confronted, almost daily, with racist daubs which keep returning.' She reported seeing 'NIGGERS OUT!' on billboards and tram seats with inscriptions such as 'KILL NIGGERS!', 'NIGGER DEALERS GET BACK TO AFRICA', 'DESTROY NIGGERS!' and 'NIGGERS - DRUGS'.



On the back of a seat in the middle of carriage No. 4838 on tramline 1 on the Vienna Ringstrasse on X.X.2001 (about 7.25 pm near the Burgtheater) was written 'OUT WITH ALL NIGGERS'.



'ALL NIGGERS ARE CRIMINALS', carriage 1355 on tramline 43.



Ms. W. reports on a leaflet found in the underground: 'Islamic Arabs! Go back to your home countries and leave us to live in peace in ours!!!! You came uninvited to our country - you cost us a lot of money and disturb our inner peace!!! Many of you are cheeky and shameless or threaten and rob us!!!! - Since you have been in our country many things have got worse!!! The Austrian people loathe you from the bottom of their hearts!! - We want to be rid of you - but you are like vermin!!! Undesirable and objectionable to us in every way!! Finally leave us!'

Note: In all cases in which ZARA has cooperated with the Vienna public transport authority ('Wiener Linien') and the billboard advertising company, Gewista, about the removal of racist graffiti, they were most friendly and dealt with cases quickly and reliably in an exemplary manner - public transport employees sometimes took action within a few hours of receiving a report from us. Both organisations have become important allies for us in removing racist graffiti from public space. Thank you!



The Muslim section of the Linz - St. Martin Cemetery was desecrated and 28 graves damaged. The young perpetrators were found some time later. What remained questionable after the case had been cleared up is how quick even the executive was to lay the blame on Muslims themselves, simply insinuating that internal differences were the reason for the desecration. In public too, the incident was not only played down in this way but also discredited the Muslims themselves for no reason. After all, respect for the dead is such an important point in Islam that there are no historical records of graves being desecrated. No-one has so far found it necessary to apologise for the suspicions which, as publicly stated, were libel and slander. We also cannot share the view that there was 'no political background' to the desecration. Especially in Upper Austria, an atmosphere seems to predominate in which Muslims are increasingly the target of massive hostility. The FPÖ (Austrian Freedom Party) started a petition against Islamic butchering and thereby 'played' with anti-Islamic attitudes. A mayor belonging to the SPÖ (Austrian Social-Democratic Party) found that, 'the racket of chickens on a rubbish heap sounds better than the call of a muezzin'. The forced demolition of a mosque in Traun led to emotionally-loaded headlines. Under such circumstances it does not appear to be coincidence that aggressive frustration and potential violence is directed against a Muslim institution.



On Saturday 17 March 2001 text messages from the public could be projected onto a screen in a large Vienna discotheque. The same anti-Semitic slogans could be seen about 7 or 8 times: '88, HH, Shit Jews out!',

Ol, left-wing vermin back to Poland!" also 'Ariel = washing powder' could be read by all present. Those responsible for the screen then projected a warning to stop with this kind of text message.



In the forum of the website of the *Täglich Alles* newspaper, following a newspaper article, there was anti-Semitic abuse of the president of the Wiener Israelitische Kultusgemeinde (Vienna Jewish Community), of Israel ('Jewish filth') and of Jews in general ('They breed like rabbits but are neither likeable nor useful.') Among other things, the private address in Vienna of a writer was made public and he was abused. ('Trouble-makers like him should be deported. There is nothing for him in Austria. And he would feel better in his home country and could develop himself better by beating up Palestinians.')



In the chat forum 'Vienna Online', Mr. G. made positive remarks about Israel under the screen-name 'dr. fritz'. He then received harassing phone calls at home. In February the forum issued a warning about giving out personal information on the internet which appeared in the 'Gemeinde', the monthly newspaper of the Vienna Jewish Community.

Ms. G. inadvertently dialled the wrong number and heard a mailbox message saying 'Long live Adolf Hitler'. This was reported to the state police.



IMÖ reported phone calls and letters received after the terrorist attacks on 11 September 2001. 'You should be ashamed of yourselves for what your co-religionists have done to Christians. Go back to the Arab countries. You don't fit in with us in Europe!' (Anonymous, immediately after the attacks). 'Or will you obstinately go on wearing the headscarf until the crusades start in Europe?'... The headscarves have always been hated, Islam will never be accepted!!! The Jewish sluts (Orthodox) also have to cover their heads, outside they wear wigs... (other anti-Semitic statements in the letter about 'Jewish criminals' recorded in the Koran (Moses as one of the first war criminals)... What about assimilation?'



Anonymous, end of September: 'Bunch of terrorists! Piss off!' One call of many in a similar vein.



Dear Tarafa, A Muslim friend told me about a song in which German Nazis abused Islam and Turks. I downloaded the song from the internet. At first I couldn't believe what I was hearing and was totally shocked. Anybody with internet access can download songs like this and many websites have these available. The idea of those who set up the websites is that people can exchange all kinds of music. In this way racist music can also be made available and exactly that has happened. Many people know Napster. Napster has now been taken to court. I am not sure, but I think that you now have to pay to download all types of songs from websites like this. It is very difficult to do anything against this kind of music-sharing website but I hope that this will soon be stopped. The group is called Zillertaler Türkenjäger ('Zillertal Turk Hunters' a play on words on the 'Zillertaler Schürzenjäger' – the Zillertal Skirt Hunters – a well-known Austrian folk music group) and the song is called Sonderzug nach Mekka (Special Train to Mecca). I have noted the lyrics of the song and sent them as a Word file. I hope that together we can do something about this! The awful racist lyrics are: 'Now listen here / there is the special train to Mecca / that's were you're going / out of our Berlin / We don't want you here / nobody wants to see you / With your foreign culture you only destroy us / We're fed up with you / You should all piss off / No German here would miss you / You're living in our pockets / that's the way you are / fucking bunch of scum / why don't you all go home? / All the Muslim apes and other wogs / must pack their bags straight away / Even little Ali / whether he wants to or not / I know for sure / not even your Allah will help / and with your Koran / you can all go to hell / Ali listen here / I'll tell you one last time / We don't want you here / Nor your damned Islam / This is the special train to Mecca / This is the special train to Mecca / This is the special train to Mecca / We're fed up with you / You should all piss off / No German here would miss you / You're living in our pockets / that's the way you are / fucking bunch of scum / why don't you all go home? / All the Muslim apes and other wogs / must pack their bags straight away / Even little Ali / whether he wants to or not / Without this scum the children have hope again / and our German women will not fear to walk the streets / Pride in our country will rise again / and then we will be free without this hotchpotch of races / Ali can you hear me / it will

soon be time / Hello Cripple, can you hear me / it will soon be time / Hallo Wog, can you hear me / it will soon be time / Hallo Slit Eyes can you hear me / it will soon be time.' END OF QUOTE.



Ms. K. wrote by email: 'I published an article on the website <http://science.orf.at/science/news/8401>. Shortly after the article was online, the following comment appeared:

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

I like bomber jackets, boots, skinheads

The text was from lobo2001.

How can someone have such ideas? I find it very threatening and have asked the online editor to delete it.'



An example of a report on racist attitudes among football fans (guest book on the official website of Austria Vienna - <http://www.fk-austria.at/frameaset.html>): 'I just want to record the fact that some of the fans in the West Stand who chant things like 'Zick zack Gypsy pack' show that they are not real fans and – although Austria supporters – are no better than our rivals from Hütteldorf (Rapid Vienna). I think that racist chants like this should not be heard in a football stadium and certainly not at Horr Stadium. Unfortunately, these pseudo-fans will never learn!' Christopher Lehner, 8. Jänner 2001



February 2001: The president of Sturm Graz football club, Hannes Kartnig, in an interview with the news magazine 'profil' (26.2.2001), insisted on continuing to use the expression 'Nigger team' since it was not meant to be racist. Kartnig also freely admitted that he had often – as a joke – called the Iranian international and Sturm midfielder Merdad Minavand a 'carpet maker'.



Norman Mapeza, captain of the Zimbabwe national team and a defender for Ried football club was subjected to racist abuse from Ried fans at the match against Austria Salzburg. This was reported in the Kurier newspaper on 12.3.2001. At the Bundesliga match Ried v. Rapid Vienna on 8 April 2001 Ried fans reacted to the incident with a banner saying 'Ried fans against racism' (see the ORF TV live transmission).



On 19 March 2001, the Vienna Kronenzeitung criticised the practice of a 'big Vienna football club' of separating its Austrian and foreign under-18 players in two separate dressing rooms – one for 'Austrians' and one for 'Gypsies'. The coach from 'another Vienna club' refused to accept a black youth player in his team because of the colour of his skin. The result was that the young African had to play for another team at the club.



At the west of Austria derby match in the Lehener Stadium between Salzburg and Tirol on 1 April 2001 in the Salzburg fans sector there was a banner saying 'We'll get you lefties' where the double S in the German version was written in SS runes. After Tirol fans had complained to the police the banner was removed (reported by the FC Tirol fan club).



In the fan sector of Sturm Graz at the Austrian cup match against Austria Vienna (4:2) on 3 April 2001 a banner with the words 'Sturm against the right' was visible during the whole match (see ORF TV report on the following day). After Sturm Graz had lost their league match against FC Tirol in Innsbruck on 19 May 2001, the president of Sturm, Hannes Kartnig was talking about the Sturm player and Iranian international Merdad Minavand and referred to the origin: 'He's out. If he's a Persian, then only a carpet!' (Source: Kronenzeitung, 21 May 2001).



Hannes Kartnig, president of Sturm Graz football club, was asked in an interview in the newspaper 'Kurier' (5. 6. 2001) if it had been a mistake to sign the Ghanaian international Charles Amoah, since he would not get on well with the Sturm captain Ivica Vastic. 'Sturm Graz is not Vastic FC, no-one is irreplaceable. And it doesn't enter the question that players decide who is signed and who isn't. If I only listened to Vastic, Kocijan and co. we would soon have Cevapcici FC in Graz.' (Ivica Vastic and Tomislav Kocijan both play in the Austrian national team and were both born in ex-Yugoslavia.)



Austrian Cup Final, FC Kärnten v. FC Tirol, Ernst Happel Stadium, Vienna. The ORF radio station FM4 reported in the programme Gästezimmer ('Guest room') on 17 June 2001 an incident which took place after the match. A group of FC Kärnten fans on public transport were talking about what players should play for the club next season and one remarked, 'We don't need any Niggers at Kärnten.'



At the opening match of the season between Rapid Vienna and Sturm Graz (3:1) at the Vienna Hannapi Stadium on 11 July 2001, the Ghanaian international playing for Sturm was jeered by Rapid fans with monkey noises.



After the racist chants against the ex-Holland international player Gaston Taument at the UEFA Cup match between Rapid Vienna and Partisan Belgrade in Belgrade, there were also many xenophobic and homophobic chants from both blocks of fans at the second leg match on 27 September 2001 at the Hannapi Stadium in Vienna. Even before kick-off the chants 'Zick zack gypsy pack' and 'We're no arse bandit Yugos' could be heard from the West Stand Rapid fans. During the match the latter chant – with the support of a megaphone – was sung several times by thousands. Variations on the theme included, 'Yugo pigs', 'Yugos out!' and 'Whoever doesn't jump is a Yugo'. It was reported by several people on the internet fan forum that a small group of Rapid fans joined in chanting 'Sieg Heil!'. From the East Stand, which was full with Partisan Belgrade fans, came repeated monkey noises directed at Gaston Taument. The return of open racism to the West Stand in Hannapi Stadium is in contrast to the activities of the club and the influential Rapid fan club during the previous season. In autumn 2000, in cooperation with the Fair Play campaign, Rapid organised a 'Match Against Racism' and the Rapid fan club, Ultra Rapid, sent a team to the Anti-Racist World Cup in Montecchio near Parma in Italy, a large fan club tournament against racism.



During the league match between Rapid Vienna and Austria Salzburg on 13 October 2001, Rapid's German manager, Lothar Matthäus is said to have made racist comments to the Salzburg player Maynor Suazo. The Monday editions of the newspapers, the 'Salzburger Nachrichten' and 'Der Standard' reported that after the Honduras international Suazo had been sent off in the 72nd minute for a foul on Gaston Taument, Matthäus ran to the touchline in a rage and – according to Salzburg director Rudi Mirtl – said, 'You black pig, you want to kill my player.' After the tumult, the referee, Messner, ordered the Rapid manager to the stands. As a result of this Matthäus was fined ATS 30,000 for 'disobeying an association order' (leaving the coaching zone etc.). What Matthäus had supposedly said to the Salzburg player, Maynor Suazo, was not part of the proceedings. (...) The report of the referee, Stefan Messner, makes no mention of it and Salzburg's club secretary Rudi Mirtl, who claims to have heard it, has not taken the matter further (and nor has his club): (Salzburger Nachrichten, 18.10.01)

The match was characterised by venomous abuse from both sets of supporters. Salzburg fans shot a firework into the Rapid family and children's sector and injured a 14 year-old and Rapid fans threw objects, including a small penknife at the Salzburg goalkeeper, Arzberger. There were also once again racist monkey noises from the West Stand (directed at Suazo after a foul on Taument). An Austrian Press Agency sport journalist also reported monkey noises from the Salzburg fans directed at Taument.



Mr. W. collected various articles from newspapers and reported: 'Looking at Austrian provincial newspapers, it is noticeable how many reports, mostly hidden amongst local news, clearly point towards fascistic groups. Below is a short summary which makes no claim to be complete. In my choice of words I purposely remain as close as possible to the original newspaper report!' (Tiroler Tageszeitung, 19.03.2001) Through town with Nazi slogans. In the middle of February, six youths dressed in boots and bomber jackets made the town-centre of Kitzbühel unsafe. With them a cassette recorder playing blatantly racist songs. At a youth club there was almost a fight because the Nazi skinheads began insulting a Yugoslav. The intervention of those in charge of the club was just in time to prevent violence. The group then went through town shouting Nazi slogans. A tip off enabled the police to find the six Nazi skinheads who are apparently youths from the Kitzbühel and Kufstein area.

(Neue Zeit, 19.03.2001) A drunk goes on the rampage in a Graz hostel for foreigners. On the evening of 16.3.2001 an obviously drunk man appeared in the hostel on the Graz Eggenberger Gürtel and began insulting the residents who were present and hitting out around him. A hostel supervisor who hurried to the scene was punched in the face. The police were called and they then overpowered and arrested the man. In contrast to his loud shouting in the hostel, the 37 year-old chose to remain obstinately silent when questioned by the police. (Vorarlberger Nachrichten, 26.03.2001) Turks against a skinhead. Incidents between Nazi skinheads and Turks continue. In Bregenz a Nazi skinhead was the victim of four Turkish youths. 'Obviously the youths felt provoked by the skinhead,' commented a policeman after the brawl in a bar in Bregenz on Saturday evening. The conflict between a Turk and the skinhead escalated into a mass brawl around the stairway of the bar because several guests came to the assistance of the helpless skinhead. Three people were injured. (Neue Vorarlberger Tageszeitung, 24.03.2001)

ÖVP (Austrian People's Party) question on integration. The ÖVP councillors Nußbaumer, Lingg, Sulzer und Schröckenfuchs see the latest incidents in which Turkish youths were involved as an indication that the integration of Gastarbeiter in Vorarlberg has not made enough progress. In a question to Landesrat Erich Schwärzler they asked how many people have taken Austrian citizenship in the last five years and what measures have been taken for the integration of the foreign population. (Salzburger Nachrichten, 26.03.2001)

Vandalism in Wolfurt. Slogans such as 'Blood and honour', a swastika and obscenities were sprayed on a wall of the 'Cubus' hall in Wolfurt near Bregenz on Friday night. The perpetrators are not known. (Salzburger Nachrichten, 26.03.2001)

Right-wing violence in Ried im Innkreis. Two unemployed seventeen year-olds left a trail of destruction through Ried/Innkreis on Saturday night. They attacked and injured several people. They called a car driver a 'Jewish pig' and hit him in the face. After a fight with a Turk they destroyed a billboard, smashed shop windows and damaged parked cars. When arrested they attacked police with wooden slats and shouted Nazi slogans.



Mr. M. Informed us that the weekly newspaper 'Zur Zeit' (...) publishes anti-Semitic, xenophobic and homophobic articles and sent us some examples. He also remarked that several companies regularly have large-format advertisements in the newspaper. Letters were sent to Merkur, Kärntner Landesausstellung, Land Steiermark, the provincial government of Lower Austria, the Volksbank, the Raiffeisen Bank and Pischinger Oblaten, pointing out the clearly right-wing, German nationalist and homophobic line of the newspaper and asking for comments. None of the addressees answered our letters.

Racist incident in Tyrol: A theology student from the Congo injured in Innsbruck. – A hit-and-run incident could have been racially motivated violence: Franklin M., a theology student from the Congo, was hit by a car in Innsbruck in Friday night resulting in facial and other injuries. He was taken to hospital and required stitches. M., who was walking with a black African colleague, said that a car with two men and one woman at first drove beside them at walking pace, forcing them to move aside again and again. It then drove into him from behind and drove off. M. assumes that the driver deliberately rammed him and can only put the incident down to the colour of his skin since he knew none of the occupants of the car. Walter Pupp from the Innsbruck criminal police stated that on the basis of M.'s statement a xenophobic background would be investigated. At first, the incident was recorded by the traffic police. Franklin M. is one of 54 students at the Canisianum international seminary and has been studying in Innsbruck since 1997. On 23 November he will be ordained a deacon and return to his home country. Hans Tschiggerl, the head of the seminary said that the incident had aroused great consternation. Previously, African students had reported occasional abuse but physical violence was new to him. The rector of the university, Hans Moser said in his first reaction to the incident and especially the brutality that he was 'deeply shocked'. (Source: DER STANDARD, print edition, 14.11.2001, ©2001 www.derStandard.at)



We discovered that the supermarket chain, 'Merkur', was once again offering a product called Rieder Neger ('Ried Nigger') from the Upper Austrian Ried brewery. Letters of complaint were sent to the brewery, the media were informed and also reported the case. An email protest was initiated and this led to the product being dropped.

RASSISMUS
Neger-Bier

Haben Sie schon einmal einen Neger getrunken? Jetzt können Sie es tun: Merkur bietet in seinen Märkten einen halben Meter verschiedene Biersorten zu US 199,-. Ein Bier darunter ist das „Neger-Bier“ der Brauerei Ried aus Oberösterreich: Ein Mischgetränk aus Cola



und Bier in einer 0,33-Liter-Flasche. Das Etikett zielt ein schwarzer Kannibale mit Gesichtsbemalung und einem Knochen in der Hand. Merkur hat mit dem Namen dieses Biers kein Problem: „Das ist die traditionelle Bezeichnung einer Cola-Bier-Mischung in Oberösterreich“, erklärt der Lebensmittelkonzern. Traditioneller Rassismus eben. Flaschenweise. N. H.

Photo: H. Gorn

Falter Nr.: 25/2001 Format: 26/2001

„Weißbier mit Cola nennt man Neger“

Bernd Pöller von der Brauerei Ried über schlechten Geschmack und sein Produkt „Neger“-Bier.

FORMAT: Herr Pöller, Sie kommen gerade von Adligsdorf. Haben Sie sich dabei auch ein „Neger“-Bier geschmeckt?

PÖLLER: Ich trinke das auch selber, ja. Es ist ein Weißbier, das mit Cola gemischt wird.

FORMAT: Der Name „Neger“-Bier sagt für Aufhegung.

PÖLLER: Warum? Das ist ein ganz normaler Name. Ich komme aus Regensburg, das ist dort sehr gebräuchlich.

FORMAT: Die Bezeichnung Neger gilt aber nicht unbedingt als politisch korrekt.

PÖLLER: Sie sind doch aus Wien. Wissen Sie, was „Neger“ in Wien für eine Bedeutung hat? Da sagt man doch: „Ich bin neger.“ Das heißt: „Ich bin plebe.“

FORMAT: Und warum heißt diese Biermischung so?

PÖLLER: Mein Gott, es gibt sehr viele Terminologien. Im Brauergewerbe ist man auf so et was eben angewiesen. Aber die Geschichte des Getränks kenne ich nicht.

FORMAT: Hat sich jemand bei Ihnen beschwert?

PÖLLER: Na, ne, ne.

FORMAT: Haben Sie überlegt, es anders zu nennen?

PÖLLER: Da habe ich mir keine Gedanken darüber gemacht. Ich kann mir nicht vorstellen, was am Begriff Neger anstößig sein soll. Aber konstruierte kann ja alles inprodukte anstößig sein. Wir wollen mit Sicherheit niemanden diskriminieren.



„Neger“-Bier aus Ried: „Ich bin neger“

26/01 FORMAT



Ms. E. and Ms. O. reported that two different ice-cream parlours, one in Vienna and one in Burgenland, were offering ice-creams with names such as 'Ice Nigger' and 'Nigger Cornet'. Both women were outraged, especially Ms. O. whose children have African roots.



Mr. S. enjoys the computer game 'Counter Strike'. This game, which he admitted is rather violent, is played on about 3,000 – 5,000 internet servers. Without knowing it, Mr. S. inadvertently came to a racist page on which only 'white people' were allowed. 'Niggers, French and Spaniards' were excluded from the page which also contained fascistic symbols. Mr. S. wanted to know if he could do anything and if so, what. Since the providers are in the USA, there is nothing we could do.

Work



A refugee in Austria, already a trained electrician who wanted to gain further qualifications was told by a social worker: 'Don't even think about the possibility of a training course, kindly go and find a job!'



Ms. A. telephoned ZARA and read an offensive 'letter' which an acquaintance had received at work. He originally comes from Turkey and has been an Austrian citizen for 15 years. The forged 'form' (see facsimile) was put on the table in front of him by a colleague. The victim is 55 years old and did not want to take action against this because he feared losing his job. However, Ms. A. wanted this case to be documented and is shocked about the way in which people who are not born in Austria are treated here.



Ms. J. helps migrants to find jobs. She phoned the Soteria Association, a Catholic initiative, to ask about a job advertisement for a cleaner. For foreigners there was the additional clause, 'Must speak and write German and English and have a driving licence.' When she asked the director of the project, Ms. D., why a cleaner should have this knowledge and added that Austrians often don't have these qualifications, Ms. D. answered, 'Do you want to send me someone else disabled?' Ms. J. was shocked and asked what she meant. Ms. D. answered, 'With a pack of foreigners, all kinds of people are sent to us.' When Ms. J. said how shocked she was at this reaction, Ms. D. said to her, 'You know what? You are a stupid cow!' and hung up.



Mr. H. reported that during his trial period in a new job, he was the victim of mobbing. Colleagues repeatedly commented that there were 'too many foreigners here' or that Mr. H. had 'a different mentality' and similar remarks. In any case, his contract was not extended and he thinks that this was a reason. As recounted by Mr. H. it is clear that he was the victim of mobbing. He would have liked his job back but we advised him to use his energy looking for a new job since it is very difficult to tolerate mobbing or to change it.



Ms. K. is a lecturer at Vienna University. A student informed her by email that another student was sending out insulting and racist comments about her. Ms. K. is the only dark-skinned lecturer at her institute. Her attempts to gain support from the deanery and from the rector had been unsuccessful. We intervened and finally an extremely sternly-worded letter was sent to the student demanding an apology and threatening expulsion from the university.

Note from ZARA: in December 2001 the 'DiDo' (Discrimination Documentation) was set up at the University of Vienna, see <http://www.oeh.univie.ac.at/>.



JUBIZ, a youth training centre in Vienna, reported to us that a social worker had telephoned the owner of the decorating firm R. about an advertised job. Mr. R. was at first interested and said the young man should come by for an interview. When the social worker mentioned that he could not yet speak perfect German, Mr. R. answered, 'We don't need someone like that,' and hung up without further comment or saying goodbye. The incident was reported to the AMS (Employment Market Service) and recorded by them. It turned out that this was not the first such incident at this firm.



Ms. S., who comes from ex-Yugoslavia, is a chemist in a laboratory and was the victim of (partly racist) mobbing there. The owner of the building in which the laboratory is situated joined her during lunch breaks (why is unclear) and behaved unpleasantly towards her. Discussion on various topics contained xenophobic remarks. She then



Der Bundesminister für innere Angelegenheiten

Antrag auf Österreichisches Asyl

Allgemeine Angaben	
Name:	Formular: <input type="checkbox"/> geh. am:
Woher Du kommen?	<input type="checkbox"/> Polka <input type="checkbox"/> Rumänien <input type="checkbox"/> Russland <input type="checkbox"/> Albanien <input type="checkbox"/> an
Woher Du wissen, daß Österreich Schlangenfessel?	von <input type="checkbox"/> Opa <input type="checkbox"/> Bruder <input type="checkbox"/> Schwager <input type="checkbox"/> Vater <input type="checkbox"/> andere Mit
Persönliche Angaben	
Wo Du durch Welt kommen?	
Wo Du wohnen / Adress?	(wenn Du schon im Asyl, wo Du parken)
Geburtsort:	<input type="checkbox"/> Mairfeld <input type="checkbox"/> Gellingsin <input type="checkbox"/> Strand <input type="checkbox"/> unter Brücke <input type="checkbox"/> Paff



0067 Hies für Hotel der 4- und 5-Stern Kategorie dringend gesucht. Bewerbung Montag bis Freitag von 9.00 bis 14.00 Uhr ☎ 01/48 000 48.

WIENER Innenstadt-Restaurant „Pürstner“ sucht inländischen Teamkoch, Küchenhilfe, Abwäscher auf Dauerstellung ab sofort. Sehr gute Bezahlung. ☎ 512 63 57.

AUF Jobsuche? Online zum Erfolg: www.tourismusjobs.com

REINIGUNGSKRAFT, weiblich (nur Inländerinnen) für Villenhaushalt im 19. Bezirk mit 25 Std. Woche per sofort gesucht ☎ 0699/11 94 34 47 von 8.00 - 17.00 Uhr.

REINIGUNGSKRAFT, weiblich (nur Inländerinnen) für Villenhaushalt im 19. Bezirk mit 25 Std. Woche per sofort gesucht ☎ 0699/11 94 34 47 von 8.00 - 17.00 Uhr.

BOTENFAHRER für Copy Shop in Wien gesucht. 20 - 25 Jahre, Österreicher mit einwandfreiem Leumund. Sehr gute Wienkenntnisse sowie Freude am Umgang mit Men-

BEREITUNG für Cafe ☎ 01/330 32 69

WÜRSTELSTAND Südburgenland sucht verlässliche Verkäufer für Nachtdienst, Inländer, Höchstalter 40 Jahre ☎ 0676/311 22 50.

KOCH mit guten Ideen ☎ 02267/4333

BIERAMT sucht Kellner, 3.,

GmbH, 1230 Wien, ☎ 617 47 47.

KASSAKRAFT für Tankstelle, weiblich, Inländer, gesucht ☎ 0664/52 36 210.

NC-FRÄSER für Dauerstelle per sofort gesucht. ☎

Gewerbliches Personal

WIR HABEN FOLGENDE DAUERSTELLEN ZU VERGEBEN: LAGERARBEITER, vorzugsweise mit STAPLER-Erfahrung, KOMMISSIONIERER mit Scannerkenntnissen und HILFSARBEITER. PERFEKTE DEUTSCH-KENNTNISSE. ERFORDERLICH: NICHT EU-BÜRGER BENÖTIGEN BEFREIUNGSSCHEIN. INTERESSE? RUFEN SIE UNS UNTER ☎ 532 01 14 NUR ZWISCHEN 10 UHR UND 14 UHR.

GELERNTER TISCHLER für Sicherheitslamellen gesucht. Zabarske

began spending her lunch breaks alone in a park. Since the racist element is only a 'minor part' of the mobbing, we passed the case on to the legal advice centre at the Chamber of Labour (*Arbeiterkammer*).



Mr. S. (Austrian citizen with Arab forefathers) reported to us a mobbing incident from his place of work (an American company in the credit system and debt collection field) and his (almost forced) resignation from the job in July of this year. At first he was amicably treated by his colleagues but the mood changed very quickly (he was no longer greeted etc.). Talking about this with his superiors, who, when he took the job, had been described as always open to discussion, also proved disadvantageous because he was accused of not being a 'team player' and told that his complaints were disturbing the office atmosphere. It was finally suggested to him that he should agree to resign. After leaving this employment, Mr. S. is now concerned that his former employer may unofficially pass on information to a future prospective employer which could falsely bring him into disrepute. However, there is no possibility of taken preventive measures against this.



Mr. A. sent an email application for a job at an IT company in November 2001. The answer was the return of his application and CV with the sentence in English 'fuck off crazy moslem got to afghanistan and die'. While counselling Mr. A., he was disappointed that there are neither criminal nor civil legal provisions for dealing with such a case. We suggested that we write a letter to the company but Mr. A. did not want to do this without legal backing. Some time later a ZARA team member wrote an application under a false identity including a CV etc. – However, we received a normal courteous rejection.



A man from Poland reported that he works at a company installing electrical equipment. Although the Poles who work there are better qualified, have more experience and have worked at the company for years, they have no chance of promotion. Their supervisors are 18 years younger and born in Austria.



There have been repeated reports that Muslim workers have been asked, 'What have you lot been up to again?' First names such as 'Ossama' or 'Jihad' are the cause of pointed remarks. An employee in an electrical shop reported that potential customers who wanted to buy something at the shop made an excuse and changed their minds when they heard his first name. It is still too early to observe effects in taking on new employees. However, Muslims looking for jobs are aware that their religion or origin could make matters more difficult for them. There are indications of this, especially in the fields of transport (particularly air transport) and jobs with close contact to customers such as in catering or sales.



Bertrand Ngandjui from Cameroon, at the time a striker for the regional league football team ASK Kottingbrunn who had previously played for VSE St. Pölten and Sportclub Vienna, reported at the Fair Play Video Presentation on 23.9.2001 at the Vienna locale Chelsea: 'I was subjected to verbal abuse from opponents who said such stupid things to me like 'Shit Nigger'. My team-mates told me that I shouldn't let it bother me but opponents continued with the abuse. Unfortunately, I get no support from my club. Racism is simply not an issue, there is no awareness of it in Kottingbrunn.'

<p>Hauptstraße 41, 01/406 37 13.</p> <p>BLUMEN B & B sucht gelehrte FLORISTINNEN, Voll- oder Teilzeit, nur Inländer. ☎ 0664/540 64 66.</p> <p>TÜCHTIGE BEREICHEN</p>	<p>HAUSBETREUUNGSFIRMA a sofort Reinigungspersonal mit schein B, vorwiegend Österreichisch, ca. 850,- € Telefonische Vereinbarung unter 0664/501 28 46, Herr Wegger.</p> <p>AB sofort werden wegen starker trainierte</p>	<p>WER HABEN FOLGENDE DAUERSTELLEN ZU VERGEBEN: LAGERARBEITER, vorzugsweise mit STAPLERERFAHRUNG, KOMMISSIONIERER mit Scannerkommission und HILFSARBEITER, PERFEKTE DEUTSCHKENNTNISSE, EMPFONDENLICH, NICHT RU-BÜRGER BENÖTIGEN BEFREIUNGSSCHEIN, INTERESSIERT? RUFEN SIE UNS UNTER ☎ 032 01 14 NUR ZWISCHEN 10 UHR UND 14 UHR.</p> <p>GELEHRTER TISCHLER für Schreinerarbeiten gesucht, Zubehör ☎ 01/462 02 20.</p> <p>KASSAKRAFT für Tankstelle, weiblich, Inländer, gesucht. ☎ 0664/57 28 710.</p>	<p>BCS gesucht ☎ 0676/676 03 26.</p> <p>KELLNERIN (Inländerin) mit gepflegtem Aussehen. Samstag, Sonntag Ruhetag, für gutgehendes Gasthaus gesucht. 1030 Wien, Schleistaße 28, ☎ 01/798 21 33, 0664/184 33 86.</p> <p>KONDITOREI sucht Küchenhilfe ganz ins Haus. ☎</p>	<p>Nr. 20025* im Verlag.</p> <p>Für Privathaushalt in Linz suche ich versierte Reinigungshilfe (putzen = nicht Schmutz verschmieren, Österreichin) 4 - 5 Stunden pro Woche, S 100,- / Stunde (Fensterputzen, Möbelpflege, Spiegeln.). ☎ 073 2 / 60 07 79.</p> <p>Städt. geprüfte Heilmasseurin (Fußreflexzone), ausgeb. Ordina-</p>
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Police



Ms. M., an Austrian citizen, reported that her son-in-law is from Nigeria. As they were walking through the first district of Vienna on their way to a bookshop, they were passing a policeman who 'drew himself up in front of my son-in-law' and said, 'I want identification from you now,' using the familiar form in German 'du'. Ms. M. was angry, showed her identification immediately and then told the policeman that he should not use the familiar form with her son-in-law. (Note: In German the familiar form is used among friends or to children but is considered impolite under certain circumstances when addressing strangers.) The policemen then appeared somewhat unsure and answered that he did not know it was her son-in-law. Ms. M. asked for his number and for an apology, which he delivered through grated teeth.



Mr. K. and his family are Austrians of Indian origin or Indian citizens with legal residence status in Austria. While on an excursion in his car, he and his three children were stopped by a police-car and surrounded by police with weapons at the ready. On the basis of an anonymous phone call, the police suspected they were illegal immigrants. (See newspaper reports.) ZARA brought a complaint about guidelines and measures before the Independent Administrative Board and the complaint was upheld. The claim for compensation resulting from this reimbursed Mr. K. for the repair costs to his severely damaged car. A few months later Mr. K. was threatened with losing his job because he was forced to take sick leave several times on account of his injuries suffered at the hands

Skandalöse Polizeikontrolle in Wiener Neustadt: Handschellen, Fußtritte und gezückte Pistolen

Acht Polizisten machten Jagd auf vermeintlich illegale Einwanderer. „Beamthandelt“ wurden aber zwei indischstämmige Familien aus Wien. Österreichische Staatsbürger. Ort des Einsatzes: Der Platz der Menschenrechte.

VON GERHARD HOFER

WIENER NEUSTADT. Kein Platz für Menschenrechte am Platz der Menschenrechte in Wiener Neustadt.

hier Bekanntheit mit der Polizei gemacht. Das war Montag voriger Woche.

Der 45jährige Postangestellte aus Wien fährt mit seinem Renault über den Platz. Plötzlich sieht er von allen Richtungen Polizisten auf sich zulaufen. Einige haben Pistolen in der Hand. Er hält an, will aussteigen, da liegt er schon auf dem regennassen Asphalt. „Hände auf den Rücken!“

Sein Freund auf dem Beifahrersitz, Angestellter im SAS-Radisson-Hotel in Wien, ist so

geschockt, daß er die Tür nicht aufbringt. „Aufmachen! Aussteigen!“ Einem Polizisten geht es zu langsam. Er tritt mit dem Fuß gegen die Wagentür. Sekunden später liegt der zweite Mann im Matsch. Hände mit Handschellen auf den Rücken gefesselt. „Augen auf den Boden“, brüllt ein Beamter und zielt mit der Pistole auf den Kopf des Mannes.

Auf dem Rücksitz des Autos sitzen die beiden Frauen und drei kleine Kinder. Zwillinge, vier Jahre alt, und sechsjähriges Töchterchen Nitika, die vor lauter Angst in die Hose macht.

Gefesselt im Regen

So hat es in Erinnerung. lebt seit 20 Jahren in Wien, ist seit zehn Jahren Österreicher. Seine Frau ist Krankenschwester im Haus der Barmherzigkeit.

Keine Spur von Barmherzigkeit auf dem Platz der Menschenrechte. wird aufs Wachzimmer gebracht. Frauen und Kinder warten in einem Polizeiauto. Der Beifahrer bleibt gefesselt draußen im Regen stehen. Erst auf dem Wachzimmer

wird nach seinen Papieren gefragt. Die sind im Auto. Zurück auf den Platz der Menschenrechte.

„Ich habe den Polizisten Reisepaß, Führerschein, Postausweis gezeigt. Die sind dann ziemlich leise und blaß geworden. Haben gesagt, wir können weiterfahren“, erzählt.

will nicht gleich nach Hause. Zuerst will er einen Arzt. Was ist mit der kaputten Autotür? Ein schriftliches Attest wird ihm vom Amtsarzt nicht ausgestellt. Nur für die Tür gibt es ein Informationsblatt der Polizei. „Am 5. 2. 2001 um 16.00 Uhr ist bei einer von uns geführten Amtshandlung in Ihrem Bereich leider ein Sachschaden aufgetreten...“

holt sich am Abend im Wiener AKH ein Attest. „Schwellungen im Bereich des linken Handgelenks“, „zwei mal zwei Zentimeter messende Schürfwunde“ am linken Knie. „Unfallhergang: Mißhandlung durch Polizei.“ So steht es im Befund. Tags darauf bringt Parveen Kumar den Vorfall in Wien zur Anzeige. Der Schaden am Auto beträgt 18.000 Schilling.

Karl Hawliczek, Pressesprecher der Polizeidirektion Wien Neustadt, bestätigt den rüden Hergang der Amtshandlung. Die Amtshandlung sei von acht Beamten durchgeführt worden. Die Polizisten hätten „zweck Eigensicherung“ die Waffen gezogen. Der Pkw sei beschädigt. Eine Person leicht verletzt worden. Jetzt ermittelt die Staatsanwaltschaft gegen die Polizisten.

Passiver Widerstand?

„Wir wurden von einem Anrufer informiert, daß sich in der Wagen illegale befinden“, begründet Hawliczek die Amtshandlung. Den Einsatz selbst will er nicht kommentieren.

Zurück zum Platz der Menschenrechte: Bei der Wiener Neustädter Polizei sieht man die Amtshandlung nicht ganz negativ. Ein leitender Beamter spricht von „divergierenden Aussagen“. Die Autoinsassen hätten Widerstand geleistet, heißt es. Sie seien nicht sofort aus dem Auto ausgestiegen. „Man das als Widerstand werten könne? „Man kann auch passiven Widerstand leisten.“

Die Presse: 14.2.2001; 7.4.2001

of the police. Further misfortune for the family was avoided by ZARA intervening with the shop steward responsible and Mr. K. was able to keep his job.



Mr. and Mrs. M. are recognised convention refugees from Somalia and have been in Austria for approximately 6 years. Mrs. M. reported that her husband had been checked for identification papers more often recently and mostly treated politely. However, on X.X.2001 he was the only person to be asked to show his papers in the crowded Gumpendorferstraße underground station. He handed over his foreigner identification paper with photograph. The two policemen then asked him to go into a corner and strip. When Mr. M. asked why, they answered that they would act in accordance with the law. Mr. M. had to take off his jacket, shirt, trousers and shoes. He began to complain and was then told that if he was not polite, he would have to 'go back home'. The whole process lasted for approximately an hour. Mrs. M. was outraged and wanted to do something about it. However, when we explained to Mr. and Mrs. M. the conditions surrounding lodging an official complaint about guidelines and measures they decided against it because they feared negative consequences.



The association United Against Racism (Gemeinsam gegen Rassismus) reported from Vienna that an African locale had been stormed by a large number of police (approx. 30 officers) with weapons drawn for the sixth time in just under a year of its existence. According to the search warrant issued by a magistrate the raid should have been confined to 'search and seizure' of drugs and material related to drug dealing. After the police had burst into the locale, those present had to stand with their hands up until the police had finished – which took approximately three and a half hours. 'After their identity papers had been checked, each one of the approximately 15 guests and two employees had to stand with their hands on the wall while subjected to close examination and continually threatened with weapons. In addition, the cook, the waitress and at least four guests had to strip naked in the kitchen and were subjected to a body search.' After a search with sniffer dogs, where not even the smallest quantity of controlled substances could be found – as in previous raids – the police then checked the visas and residence papers of the foreigners present and the trading licence of the restaurant. In the end, due to supposed irregularities in their papers, four guests and the waitress were taken away handcuffed behind their backs. Despite the fact that her papers proved to be completely in order, the waitress was not released from police custody until the following day.



Mrs. Q. reported that her son had witnessed an attack against a black man by police. On Easter Sunday her son was in a park playing basketball. Suddenly the police arrived and wanted to arrest a black man who was standing outside the basketball court. Her son was then a witness as the man was most brutally beaten up by the police, which numerous onlookers reacted to extremely critically. Drivers on the street began sounding their horns. Four police cars were involved and the man was taken away. G. saw how the man was crying in pain. Despite several attempts to get information from the police station which was presumably responsible, we could find out nothing about the case.



Mr. and Mrs. S. were out for the evening in Upper Austria with a brother-in-law and a friend. They had had quite a lot to drink and an argument began between them on the street about who should drive. In the end Mr. and Mrs. S. began walking. During the argument, which had gone on for about ten minutes at full volume, someone living nearby had called the police. As they were walking along the street, Mr. and Mrs. S. were stopped by a police-car and asked if they had been the cause of the noise. They said it was them. The police got out of the car and asked to see their identification. Mrs. S., a Romanian citizen, did not have her identification papers with her but about 10 kilometres away at home. Because of this the police said that she would have to go with them to establish her identity. Mrs. S. said that she wanted her husband to come with her but the police refused. As Mrs. S. was being manoeuvred half way into the police-car she repeated her wish to be accompanied by her husband. Abruptly, one of the policemen hit her on the leg at knee height. Mrs. S. had only defended herself verbally and pulled in her leg and the door was slammed. In the car the police then told the woman that people like her were not needed in Austria and that she would be sent home on the next train. In addition, one of the policemen said that if she was sensible, he would not hurt her. In the meantime, Mr. S. walked home, fetched his wife's passport and walked back to the police station. When he arrived, his wife had been released and was standing in front of the station. Since Mr. S. had walked so far to fetch it, he wanted to show the police the passport. The police told him that everything had been taken care of, to which Mr. S. answered that he didn't want to have the mickey taken out of him and the police should look at the passport because he had been walking for an hour to get it. The elder policeman took the passport and went into another room. Mr. S. followed him but was harshly told to wait outside. Mr. S. wanted to know

Platz für Menschenrechte: Polizei gibt Fehler zu

Versöhnliches Ende eines skandalösen Polizeieinsatzes in Wiener Neustadt. Die Exekutive gibt zu, Fehler gemacht zu haben. Ein Eingeständnis mit Seltenheitswert.

VON GERHARD HOFER

WIENER NEUSTADT. „Das ist ein Beispiel, wie es sein sollte“, sagt Martin Wagner vom Wiener Verein für Zivilcourage und Anti-Rassismus-Arbeit (ZARA). Wagner meint damit die Reaktion der Wiener Neustädter Polizei. Die hat offen zugegeben, bei einer Amtshandlung gegen zwei indischstämmige Flüchtlinge aus Wien Fehler

und denot an illegale Einwirkung. Er alarmiert die Polizei. D schreist ein. Ort der Amtshandlung: Der Platz der Menschenrechte in Wiener Neustadt.

Mit geladenen Pistolen werden die Männer aus dem Auto gezerrt, in Handschellen gelegt. Die Beifahrerseite wird eingeklemmt, Kumar leicht verletzt. Er auf dem Wachzimmer klagt sich der Irtum auf. Keine „Illegale“, brave Staatsbürger wurde da „beamtshandelt“.

Vorher wies die Polizei die Schuld von sich. Der Verein ZARA brachte für eine Auschreibungsbescheide ein. Eingeklagt. Die Bundespolizeidirektion Wi. Neustadt gibt bekannt, dass die Polizei die Amtshandlung

what was happening to the passport and insisted upon seeing what was done with it. The policeman became furious and pushed the door against him several times. Mr. S. had to go to hospital due to bruising on his foot and was off sick from work for some time. As acquaintances later asked for the number of the policeman, it was not given to them. We prepared a complaint but it was finally not sent due to considerations about possible consequences on the part of Mr. S.



Mr. S., an Austrian of Nigerian origin was stopped by the police at Praterstern in Vienna on X.X.2001 and asked to accompany them to the police station. He received no answer to his question as to the reason for this. At the police station he was photographed on the basis of law 'SPG § 53' and then asked for his identification papers. In the meantime, Mr. S. had called his wife and asked her to come to the police station. He told the police that he would not leave until they had given him a plausible reason why they had photographed him and that he wanted to know what would happen to the photographs. The policemen instructed him to leave the police station. When he refused and said that he wanted to wait until everything had been explained to his wife, the police used force to throw him out. When his wife arrived, she was told by the police, 'all blacks have to be photographed because they are all drug dealers.' Mr. S. was outraged.



Background: In 1996 Mr. E. was searched by the police in a Vienna underground station and a tablet was found. It was a tablet prescribed by a Caritas doctor in the home where he was living at the time. He was then taken to the police station and had to spend a night in custody. The following day he was brought before a magistrate – as he related the story – and repeated his explanation about the tablet. The 'magistrate' said that the tablet would be analysed. The Caritas doctor wrote a letter confirming that he had prescribed the tablet to Mr. E, who later received a letter saying that the tablet would be analysed. After that he heard no more about the matter.



ON X.X.2001 Mr. E. was at an Employment Service open day at the Exhibition Centre. As he wanted to leave the area he was stopped by 4 policemen and asked for his identification papers. Mr. E. had been an Austrian citizen since the previous year and showed the policemen his ID. The police did not believe him and took him to the police station where they copied the ID, photographed him and noted his mobile phone number. Then they told him that in future he should not come back to the Prater area, to which Mr. E. answered that he would come there if he had to do something there. The police told him that he had been warned. Mr. E. was still present as the police found an entry on the computer about the incident with the tablet and linked this to his recent file and his photograph. He was extremely anxious about this and concerned that he could get into trouble in any future police checks because of this entry from 1996. We agreed to request that this information should be deleted from the record. Some weeks later Mr. E. received a letter informing him that all personal recognition data had been deleted.



Ms. R. is Chilean and a recognised convention refugee. After a row with her partner, Mr. B., she called the police asking them to remove him from the flat. Three policemen arrived and questioned those present (Ms. R., her son and her partner). When Ms. R. showed her convention passport, the 'legal or illegal' residency status of Ms. R. and her son suddenly became the main line of questioning and not the removal of Mr. B. The whole time the police were extremely polite to Mr. B. whereas they made a detailed check on Ms. R. and behaved very assertively. Ms. R. received a fine for disturbing the peace (1/1 WLSG) and aggressive behaviour towards police officers (§ 88 SPG). We helped Ms. R. in her appeal and represented her in front of the Independent Administrative Board. The case against her under § 88 SPG was dropped.



Ms. K. reported that as she was walking home in the 18th district of Vienna she was stopped by a policeman on guard outside the Israeli embassy in Anton Frank Gasse. The road is closed to traffic but pedestrians can walk through. The policeman asked to see her ID. Ms. K. said that she was not sure if she had any identification on her but fortunately found her EEA-identity card and gave it to the policeman. He disappeared with it into his guard hut and made a telephone call. After she had asked him three times why she had been stopped, the policeman told her that it was because she was a foreigner. She then asked three times what kind of reason that was and he answered that foreigners were suspicious and this was an endangered area. The policeman did not return her ID and finally got through to his colleagues and passed on her details, remarking that she was a BV foreigner. At the same time, Ms. K. spoke to her ex-husband on her mobile phone and explained to him what was happening. As the policeman heard what she was saying he called out to her, 'Yes you look out like a Palästinenser!' (sic) Ms. K. asked for his number and he gave her a card with the number XXXX. She then was given her ID back. In the meantime, Mr. K. had spoken to Oberstleutnant X. who regretted the incident but added that the Israelis were so strict and that Austrian policemen often found this difficult to get along with. Ms. K. was indignant.



Ms. A. reported a brutal police attack on her nephew, Mr. A. On the street a woman he did not know asked him for drugs saying that she had bought something from him a year previously. However, Mr. A. had only been in Austria for three months and it was obviously a case of mistaken identity. A police car came to a halt and,

without further explanation, the policemen told him to get into the car. He wanted to phone his father – who had given him a mobile phone in case he should get into any difficulties. Mr. A. was slapped in the face, thrown against the police-car by two policemen, punched and handcuffed. Reinforcements arrived and more police attacked him. Mr. A. lost an upper incisor, suffered abrasions and a cut lip. He was taken to the police station and strip-searched for drugs in a cell. The police also searched his flat without his consent. After 3 hours – in which the police established that he was an Austrian and was not in possession of drugs – he was released from custody. Mr. A. could not walk because of his injuries – a taxi driver saw him and took him home without charging a fare. On the request of Mr. A. and his relatives we filed a guidelines and measures complaint. The officer dealing with the complaint proposed a clarification meeting. We accompanied Mr. A. to this meeting but it ended without a satisfactory result. In addition to various viewpoints of the incident there was also no clear agreement on the exact time and place that it had taken place. A few days later the Independent Administrative Board passed onto us the statement on the incident from Vienna police headquarters. According to them, at the time of the incident and at the place stated in the complaint no police action had taken place. Subsequently Mr. A. was checked three other times. His physical condition deteriorated, he suffered disturbed sleep and he decided to leave Austria. We were told by his relatives that Mr. A. has no intention of returning to Austria and were therefore forced to withdraw the complaint. The charge of possession of drugs was rejected by the public prosecutor due to lack of evidence.



We received two independent reports from witnesses to police action in the 10th district of Vienna. Police lost control of a sniffer dog which found no drugs but several times attacked two of the Africans who had been stopped, injuring them so seriously on the stomach and arm that they had to be taken to hospital. Several outraged witnesses called an ambulance and became involved. Finally there were 11 police cars on the scene – in order to deal with three injured suspects with no previous convictions.



A man, who wishes to remain anonymous, telephoned ZARA and to say that a Mr. C. had just passed on some personal details to him as he was being arrested at the Ottakring underground station and asked us for help. We called the telephone number he gave us and spoke to Mr. C.'s girlfriend. He could not be reached at his mobile telephone number. After making inquiries at nearby police stations we discovered that Mr. C. was in the Wilhelminen Hospital. His girlfriend went there immediately and was informed that Mr. C. was temporarily in custody and was being X-rayed. That night he was finally released – no drugs were found on (or in) him.



Ms. H. reported that her boyfriend, a French citizen, spent a rough night in police station X. He was beaten and racially insulted. The reason: on his way home by bicycle they had been stopped by the police and breathalysed. Her boyfriend had 1.6 per mille alcohol in his blood.



Mr. A. is from Cuba and has an Afro hairstyle. He lives in Innsbruck but was visiting friends in Vienna. On X.X. 2001 he was walking with the witnesses X. and X. in the 1st district of Vienna near Stefansplatz when a car stopped nearby, four men jumped out and one of them immediately held him in a strangle-hold. He was also jostled and hit several times on his leg, which was still healing after a complicated operation (medical records available). At first he did not realise that the four men were plain-clothes policemen. He was asked for his ID, which had recently been stolen from him. After a while, he was accused of having stolen a car, which he had not done. He was arrested without handcuffs being used. He was taken by car to a place that he called 'the station', where he then had to remain until 8 a.m. He was then handcuffed behind his back and taken to his friends' flat where he was staying in Vienna. There his papers were collected, the handcuffs taken off and then he was taken back to the station where he made a statement with the help of an interpreter and signed it. He was released from custody at around 12 o' clock.



Background: In 1999 Mr. B. ran a small business and owned several vans. As he and his wife were unloading a parked van, a police-car came to a halt and the policeman barked at him: 'Driving licence or you get this torch on your head!' When Mr. B. said that he had not been driving, the policeman simply repeated: 'Driving licence or you get the torch on your head!' When Mr. B. again explained that he had not been driving and his driving licence was in his flat, the police called reinforcements, which arrived in the form of two other policemen. Mr. B. was taken to police station X. Inspector K. went to B.'s flat and returned after 45 minutes. When another policeman asked him what he had been doing for so long in the flat, he began calling Mr. B. a 'Nigger' and an 'Arsehole'. When Mr. B. complained about this, the policeman asked, 'How can a Nigger own four vehicles in Austria?' The following day Mr. B. went to the central police station of district X. to complain about his mistreatment. He explained what had happened to Dr. X., who promised to talk to the policemen involved. However, this promise was not enough for MR. B. and he therefore went to Central Police Headquarters in Vienna to report the incident. However, the policeman on duty refused to take the particulars. This incident was the beginning of a continuous sequence of events which justify suspicion of harassment. Three days after this incident Mr. B. was stopped by the police to check his vehicle. The policeman behaved properly. He asked if he was Mr. B. and asked Mr. B. to accompany him to the police

station. There, he telephoned Inspector K., who ordered a copy of Mr. B.'s driving licence to be made and this was done. A week later a friend of Mr. B. was stopped by the police while driving one of Mr. B.'s vehicles. Mr. B. was charged because he had allowed his friend to drive his car with a driving licence from Zaire. – Some time later another friend lost his passport and Mr. B. accompanied him to police station X. to report the loss. At the police station he identified himself and the policewoman on duty immediately telephoned Inspector K. After speaking on the phone for a long time and then making them wait, the policewoman told the two men that they could not report a loss and asked them to leave the police station. Mr. B. and his friend drove to the Südbahnhof police station where there was no problem about reporting the loss. – Mr. B.'s 12 year-old son was stopped by Inspector K. and threatened with the words, 'You'll see yet!' – Mr. B. was in a traffic jam on Neubaugürtel as a police-car rolled past him in which Inspector K. was sitting. As he saw Mr. B., he called through the window, 'Mr. B., whose driving licence we need!' – A week later Mr. B. was driving around looking for a parking space in the 11th district and passed Inspector K. and a second policeman, who immediately stopped him for a police check. Mr. B. just said, 'Mr. K., I've had enough.' His driving licence was in his flat and they therefore walked there together. Mr. B. said that the other policeman could come in but K. should remain outside. Both policemen left. Two weeks later Mr. B. received a letter from the Traffic Office in which he was accused of shouting loudly in the flat, drinking beer and refusing to be breathalysed. He both lost his driving licence and had to pay a fine. Mr. B. went to a lawyer who filed an appeal. Mr. B. was given a lift to the court by his friend – however, in Mr. B.'s car. They arranged that Mr. B. would call him when the appeal was over and he would be picked up. In court Inspector K. told the magistrate that he had seen B. at the wheel of his car despite the fact that he was suspended from driving and announced that he would press charges. When asked about this by the magistrate, Mr. B. denied it and suggested that his friend be telephoned to confirm it. However, the magistrate did not want to speak with him on the telephone and asked the policemen present, Inspector K. and Inspector P., if they could wait until B.'s friend arrived to pick him up. They agreed. When the proceedings were finished B. called his friend and asked him to pick him up. The two policemen went for a coffee to a nearby café. Mr. B. briefly went to a cash dispenser and when he returned both policemen had left. Mr. B. then went with his friend to look for the magistrate and explained what had happened. The magistrate said that everything was in order and he could leave. He then accompanied Mr. B. and his friend to the street and also saw how both got into the car and drove off, Mr. B. in the passenger seat and his friend at the wheel. This was witnessed by others present at the trial. Subsequently, Mr. B. received a summons accusing him of driving a car without a driving licence. He appealed himself against this. An opportunity to say anything in his defence was only provided after he had been served with the fine. We wrote a supplement to the appeal demanding that charges be dropped not only because they were false but also because of improper procedure. The case before the Independent Administrative Board on X.X.2001 ended with the appeal being rejected.



Mr. B. is a Pakistani citizen who has lived in Austria for ten years. Before this incident he had never been in trouble with the law or had anything to do with the police. On X.X.2001, Mr. B. was shouted at by a policeman standing on the other side of the road and stopped for an identity check. (Mr. B. was obviously 'recognisable as a foreigner' on account of the colour of his skin and his cricket shirt with 'Pakistan' written on it.) From the beginning Mr. B. was abused and insulted by the policeman ('You are a shit foreigner' and 'Terrorist'). He asked the policeman to speak more courteously and quietly and firstly to greet him, whereupon the policeman became even more unfriendly. Since Mr. B. only had his residence paper but not his passport on him, he offered to fetch it from his flat which was 100 to 150 metres away. The policeman rejected the offer and told him in as many words that he was under arrest because he had no ID. He was also threatened that the police now had his address and that he would have no minute of peace from then on – his deportation would be taken care of. After being detained by the policeman for about ten minutes under the gaze of passers-by, he was picked up by a police-car and taken to the nearest police station where his identity was checked. This took about 30 minutes. In the charge issued against him on X.X.2001 there are a total of five offences and he was ordered to pay a high fine of 1,100, which on account of his financial situation, threatened his livelihood.



On X.X.2001 the family M. were woken at two o' clock at night by a loud knocking on the door. After the late visitors had announced themselves with, 'Open up, police!' Mrs. M. opened the door. 8 – 10 special police with weapons at the ready were standing in front of the flat door. They were looking for someone who had robbed a taxi driver shortly before. The taxi driver has described the robber as being 'dark-skinned'. In answer to the question when Mr. and Mrs. M., who had the only African-sounding names in the building, had arrived home, Mrs. M. replied that they had been at home since 2.30 that afternoon. After talking again to the taxi driver ('the robber was younger and lighter-skinned and had a female accomplice') and taking their personal details, the police left without apology.



On Monday, X.X.2001 at 7.30 p.m. Mr. S. was walking down the staircase in an apartment house in Xxxxxxgasse in Vienna after visiting a friend. At the foot of the stairs he was surprised by a punch on the left side of his face followed by two others on the right and in the middle. He was then forced to the ground, held and searched. Mr. S. then saw that his attackers were about 8 – 10 policemen (in plain clothes with police waistcoats, pistols at the ready). He received no answer to his question why he had been beaten and held down. He was then hit on the nose and his nose and mouth were held closed. Finally he was allowed to stand up. Blood was dripping from his nose and mouth. He asked once again what was going on. He was told to keep quiet and show his passport, which he did immediately. The police then appeared somewhat surprised that they did not have the person they were looking for. However, despite this, they did not let Mr. S. go but forced him to go with them to an upper floor where they broke down a door and arrested a black man (unknown to Mr. S.) inside the flat. Then, with the help of Mr. S.'s bicycle lamp(!) they searched the premises. In the meantime Mr. S. was told to sit in a chair and threatened with a weapon. Half an hour later Mr. S. was asked for his address and telephone number, which he gave without hesitation. During the course of all this, he was frequently referred to as a 'Nigger' who, 'Came out of the jungle'. He was then allowed to go. After Mr. S. had informed his wife, he went to a police station near where he lived in order to report the incident. The police on duty registered his report but advised him to go to police headquarters on Schottenring next day. Then they called an ambulance which took Mr. B. to the Lorenz-Böhler Hospital. The following day Mr. S. reported the incident again at police headquarters but was issued with no official record of his report. However, he was examined by the police doctor. Later the police contacted him with a dubious telephone call saying that some man was hiding out in his flat, which was not the case. Mr. S. allowed the date for a complaint to the Independent Administrative Board to lapse.



The delegation from the AHDA (Association for Human Rights and Democracy in Africa) was delayed at Vienna International Airport on its way to the UN World Conference against Racism because, from the six members of the delegation, the only one who was not light-skinned was subjected to intensive questioning at passport control. Although Mr. I., who is a Nigerian citizen, has an unlimited residence permit for Austria, which was also registered in his passport lying open in front of the officers, he had to answer questions about his knowledge of the German language and the purpose and duration of his stay in Austria. Mr. I. had to go through exactly the same procedure on his return from the conference. On this occasion, after listening for some time to discourteous comments on the part of the police, he countered by asking for the numbers of the officers present – however, this was refused. Mr. I. is especially shocked that twice in a row, as the only non-white in a group, he was stopped and questioned.



Ms. O. had lost her purse and was walking up and down the street where she had noticed the loss in search of it. Suddenly a car pulled up and a man got out while a second man remained seated in the car. The man asked Ms. O. what she was doing there and she explained that she was looking for her purse. The man wanted Ms. O. to get into the car – which she understandably refused. She clearly stated that she would not get into a car with strange men. For a second time, the man ordered her to get into the car and as she once again refused he began to pull her hair and grab her by the neck. Ms. O. defended herself and the second man got out of the car and handcuffed her. By now, several passers-by had stopped to watch what was going on. A young black man asked the men what was happening and they both showed him their police identification. Until this point it had not been clear to Ms. O. that the men were policemen. The young men then said to her that she should get into the car and go with the police and nothing would happen to her. At police station X. she was asked for her name – at first she did not want to give it. The policeman then said to her that she would be sent back to Nigeria. After the police had taken her details she was allowed to leave. Ms. O. was then accused of illegal prostitution in a police summons against which we appealed. Early in 2002 her appeal was upheld by the Independent Administrative Board.



Mr. S. reported: 'On Tuesday, X. October 2001, at X a.m. I was alone at home (with my 3 children, aged 11, 7 and 4) while my wife, who is a nurse, was on night duty. My younger daughter, aged 4, was sleeping in my room as she does not sleep well alone. My other two children were in their own room. While sleeping I heard the doorbell ringing and a heavy knocking noise on my door. Through the small hole in the door, I saw 7 or 8 policemen standing outside. As I opened the door a man, who was with the police, nodded his head. They entered my apartment and asked me whether I had seen this person before. I replied: 'No!' I was not allowed to close the door of the apartment, I was asked to go inside and to sit down. I was under shock! They accused me of having robbed the person in the park near my apartment building of ATS 3000 and his passport about 1 hour before. The suspected person ran into my apartment building using a key to open the main entrance door. As I denied the accusation they asked me whether anybody looking like an Arab was living in our apartment. And I answered no. I was questioned where I had spent the evening, when I had come home, etc. As they saw ATS 20000 lying on a small dressing table in the corridor, I was questioned about that, as well. I explained about the money. I told them that around 6:30 p.m.

I drove my wife with my younger daughter to hospital in the 13th district. We came home around 7:30 p.m. and were at home for the rest of the evening looking after my children. We went to bed around 9:00 p.m. I was asked to show my clothes which I was wearing this evening. Hearing all the noises, my 11-year old daughter woke up and they questioned her also about my presence at home. She told them that I was at home and sleeping. I was not allowed to call my wife. Then I was asked to go along with them. I showed them my IAEA Identification Card and the 'attestation' from the Austrian Ministry of Foreign Affairs. When I mentioned that I cannot leave my 3 children alone I was told that my 11 year old daughter is old enough to look after them. Only now I was allowed to call my wife. (...) Leaving my children alone, I had to go with the policemen to police station (XXXX, Vienna). There they took my statement on paper and I signed it. Then they sent me to another person in another room. There I had to remove all my clothes and all my personal belongings (watch, ring, chain, money, identification card). Standing there naked a policeman made a physical check. After dressing I was taken to a cell. After some time a doctor visited me and asked me about my health. I replied that I was okay. I requested to make a telephone call to my home to check about my children. I was not allowed to do so. Later a person called me out. He asked me to wash my hands, then he took my finger prints (all fingers from both hands). He took with a brush something from my mouth. When I asked him he explained to me that it was a DNA-Test. Photographs with numbers in front of me were taken. After signing a few papers - I was not allowed a copy of them - my personal belongings were given back to me. As I explained to the person, (who made the fingerprints, the DNA-Test and the photographs), what had actually happened, he said that all this was unnecessary. He explained to me that I will have to go to the court anyway and I have to prove in the court that the other person was lying and then that other person would be fined. After the check, finger-printing and photographing, I was allowed to leave at 10:15 hrs, this morning.'



On X.XX:2001, Mr. B. was ordered by a man on a motorcycle, who was next to him at the traffic lights, to pull over to the side of the road on the other side of the crossroads. Mr. B. followed his instructions and stopped. He was asked to show his papers and he promptly handed them over. The motorcyclist, who revealed himself as a plain-clothes policeman, addressed him with the familiar form in German, 'Du'. His papers, the car and the contents of the boot were checked. In answer to the question why he had been stopped, he was told that he would 'soon find out'. The policeman also refused to give his name or number, once again with the remark that he would 'soon find out'. Finally the policeman said that Mr. B. would be charged and gave him back his papers. He was not told what he would be charged with. As Mr. B. drove away he noticed that the policeman was still following him. After crossing Xxxxxstraße (according to the police report Xxxxxstraße going towards X) Mr. B. was once again ordered to pull over to the side of the road. The policeman began asking him why he had been driving 60 kph. Mr. B. denied this and wanted evidence for this claim. The same policeman immediately asked to see his identification papers again and asked him what nationality he was. Mr. B. said that he was an Austrian and the policeman answered, 'An arsehole-foreigner can't be an Austrian!' and 'If you're so cheeky, you'll be going to the police station in handcuffs!' As Mr. B. wanted to close his car door he was abruptly turned around by the policeman, held by the stomach and pushed against the car. 'Damn it! When I say stay here, it means stay here!' the policeman shouted at him as he tore his waistcoat, grabbed his throat and punched him in the stomach. After the policeman threatened to 'finish him off', Mr. B. began calling for help. The policeman radioed for reinforcements and 3 other policemen arrived shortly afterwards. Mr. B. was taken to the nearest police station and after a short while was released and told that he would be charged. The following day, Mr. B. reported the behaviour of the police. On XX. XX. 2001 Mr. B. received notice of a fine. A complaint was lodged to the Independent Administrative Board and criminal charges have been brought against the policeman.



On the night of Sunday, 11 November 2001, the Nigerian-Austrian writer Charles Ofoedu was taken into custody for deportation. He was threatened with deportation to Nigeria, a country in which a civil war was going on at the time. Mr. Ofoedu had played a key role in the organisation of protests against the killing of Marcus Omofuma. As part of 'Operation Spring' he had been arrested as 'the big drug boss', but released after three months on remand because a long time before coming to trial it had become clear that the majority of charges against him would not stand up to scrutiny. At the trial, which took place one year later, there remained, due to the testimony of an anonymous witness, the charge of money laundering. The guilty verdict in the first instance (a suspended sentence of 10 months) was used as a reason for deportation by the authorities on the grounds of 'endangering public safety'. This decision is currently being challenged at the Administrative Court. However, it came as a complete surprise that Mr. O. was taken into custody for deportation without having previously been asked to leave the country.



Ms. N. reported an arrest at Meidling railway station: 'I saw 3 or 4 police (at least 2 women and 1 man) apparently checking the papers of an African. A policewoman was speaking on the phone a short distance away. The police were standing with their backs to me and I tried to establish eye contact with the African. Making

signs, I tried to ask him if everything was alright or if he needed help or support. He signalled back that everything was in order. This went on for some time. After two trains had passed I signalled to him that I would come over to his platform (I was standing on the opposite platform) and he nodded. In the meantime only one policewoman was standing directly by him and I went up to them and asked him in English if he needed assistance. He answered in English that he did. He was extremely upset and nervous. He asked me to help him. He had just been released from prison and was on his way to Kettenbrückengasse where a woman would provide him with new registration papers. Apparently the police wanted to see his registration document. There was no longer space where he had previously lived but they had sent him to Kettenbrückengasse where he should have got new papers. I told this to the policewoman who was standing beside us. At this point the other officers joined us. Obviously, in the meantime a police-car had been called (this later proved to be true). The policewoman who had previously been on the phone told him that he should come with them. She asked him if he had a telephone number. I wondered why she would need a telephone number if they were taking him with them anyway. The policewoman made her question more concrete and asked after a number of 'that Caritas' (a charity organisation). The man said that he did not have one. I asked why they were taking him away and the same policewoman said, 'Checking'. He asked me if I would accompany him. During this we were leaving the platform and going towards the street where a police-car was waiting. The police officers had apparently heard his question because the policewoman told me that I would not be allowed to join him in the police-car. I asked the other policewoman (who had been standing by the man and me) for her number but received no answer. I asked once again. I also asked the other policewoman. I asked her if I could have the man's name or something that would enable me to find out his whereabouts (in fact: 'How can I find him again?') Her answer: 'Meidling Police Station, we are taking him to Meidling Police Station. There won't be that many arrests there.' My question: 'Is this an arrest then?' Answer: 'Yes, a temporary arrest. That's the way it is, it's common practice.' The other policewoman tried to reassure me, saying it was, 'only routine'. I asked her again for her number. She was then told by her (older) colleague to get into the car, which she did without answering my question. The car drove away. I asked the remaining policeman for his number and he unhesitatingly (!) gave it to me with the date, time and street noted on the back (Meidling Police number XXX). He then asked me for identification and I handed him my driving licence. While he was taking my details (also noting date, time etc. and something else which I could not read) he was telling off a boy who had been riding his bicycle on the road. He said it would cost him ATS 300 and he shouldn't do it again. While he was finishing noting my details a conversation took place in which he said that he and the other police were only doing their job. The public would expect that of them. He then said something about foreigners and immigration law etc. In answer to my remark that the 'selection criteria' were extremely arbitrary, he said that certain people had been subject to close examination for some time. Then he said that there at Meidling Station a lot of dealing went on. However, I recognised no direct connection to the arrested man. After agreeing that we would both do what we had to do, I said goodbye and left. Telephone call to Meidling Police Station, 4.55 pm.: I spoke to a policeman on duty and explained that about 50 minutes previously I had witnessed an arrest, that I had not been allowed to accompany the man to the station and had been told to phone up for information, which I was now doing and I would like to be informed where the man now was. He put me through. The connection was lost. I call again. The connection was lost. I call again. He put me through. I explain the reason for my call again to a policewoman. She asked who I was and I answered, 'Witness, representative, but I have been denied my rights.' She asked what I wanted and I explained it to her. She said that she could not give out information except to a mother, father or other relatives. I once again explained the facts. She was silent. She was very silent for a long time. In the meantime she also asked somebody about something. She told me that I should not worry. I asked if he was still there. She said yes, but not much longer. I asked if an interpreter was necessary. She said that there had been language difficulties at the beginning but then it worked out alright. I told her again that I did not find it good that my right to accompany the man to the station had been denied me, this would have made everything easier. I said that I didn't know if she had been present at the incident...she was silent. I thanked her and said goodbye.



SOS Mitmensch forwarded an email to us: 'dear mr koch, africans are in vienna – as I shockingly became aware this weekend – open season for police identity checks. On top of this – as soon as two or more africans walked past, some passers-by called the police by mobile phone and the police arrived – three of them! What can those affected do? What can I do in future as witness to police action? Is there a leaflet covering such cases, legal information etc.? Kind regards, X.X.'



Ms. R., from Nigeria, a recognised asylum-seeker, was taken to a police station to make a statement and was then released. A short time later she received a summons from the police in which she was accused of soliciting for prostitution in the City of Vienna without personally reporting this to the authorities or undergoing an official medical examination (in contravention of Vienna prostitution and HIV/STD laws). A friend who lived in the same

hostel accompanied Ms. O. to the police station and interpreted for her. No records of this first hearing were obtained at the first counselling with Lefö. Ms. R. explained that she was on her way home. This was described as 'loitering in a prostitution area'. This was at 10.55 pm. Ms. R. said that a man in a car spoke to her, they had talked together and she got into the car. Ms. R. wanted to make friends with him. Shortly afterwards the police stopped the car and checked both of them, let the man drive off and took Ms. R. to the police station. Ms. R. came to Lefö with the second letter from the police. This time it was a summons, approximately 4 months later, once again about the above-mentioned infringement. After short consultations with some lawyers, a Lefö member of staff accompanied Ms. R. to the police. The officer responsible explained that the man had been questioned in the meantime. He said that Ms. R. had offered sexual favours for money. Ms. R. was shocked by this statement. The officer explained that this time there would only be a 'warning' without charges because it was Ms. R.'s first offence and in view of Ms. R.'s forthcoming operation and her general state of health. (Ms. R. was suffering under intense pain and was being treated by her doctor. She had previously undergone one operation and was waiting for an appointment for her second.) However, the officer also admitted that she believed what the man had said and that she had no reason whatsoever to doubt his statement. Apparently there were enough reasons to doubt Ms. R.'s statement. According to legal advice it would not be a case of 'his word against hers' because the statements or 'expert opinions' of the police officers involved would be taken into account. They saw an African woman talking to a white man on the street in the evening and concluded from this that she must be a prostitute. Ms. R. was left with mixed feelings. On the one hand she was relieved that the matter was closed but on the other she was left with a very bad feeling because she had not been believed. She asked if it was not allowed to speak to other people in Austria. She also did not know that she was in a 'prostitution area'. Note: this case is only one example. We gave counselling in two similar cases during 2001. We have also heard from other organisations that this is not an isolated incident. It is completely obvious to us that the police stigmatise and criminalise this group of women on account of their origin (women from Nigeria) and their gender.



Mrs. K. from a refugee assistance organisation (Flüchtlingshilfe) in Mistelbach sent us the following report. 'Dear Colleagues, One of our clients was recently the victim of police excess. We consider your work very valuable, especially for the documentation of such cases, and would like to pass on to you the information about this case. Mr. K., a citizen of the Democratic Republic of Congo, has lived in Austria for about two years. He is a student and an asylum-seeker. His application for asylum was rejected by the Independent Federal Asylum Board in the second instance (§7 and 8), and he applied for legal aid to lodge a complaint at the Administrative Court. Until his complaint has been formally lodged his legal status hangs in the balance. He has no residence permit and can be deported at any time until his case is brought and his application for asylum can be heard in the third instance. On Wednesday X.X.2001 he was making a phone call from a telephone box near Floridsdorf station. A police officer interrupted him while he was phoning and asked him to go with him. The policeman used no handcuffs and Mr. K. accompanied him peacefully and voluntarily to an Austrian Railways room in the station. We do not know whether other people were present in the room but this is a possibility. The policeman left him in this room and fetched four other officers. Mr. K. here supposedly resisted and scratched and bit the officers. The police began to mistreat him – they hit him, threw him to the ground and handcuffed him. He does not know why. He had voluntarily shown the police his registration papers and his still-valid temporary residence permit, he had no passport and there were no other problems. He was beaten and sprayed in the eyes with a pepper spray which caused injury. Mr. K. was then imprisoned on remand and held for 4 weeks, supposedly because of the risk of an escape attempt. He was charged with resisting arrest and grievous bodily harm. At the trial on X.X. 2001 Mr. K. was fortunate that the policemen involved seemed to take the way that they had treated him completely for granted. They openly described the violence they had used against him. The judge was left with no choice but to sentence Mr. K. to a relatively light sentence – 6 months suspended for 3 years. (It need not be mentioned that the police officers escaped without punishment.) From the sublime to the ridiculous – while being mistreated by the police Mr. K. had supposedly shouted and therefore made noise. On account of this he was given a fine of ATS 10,000 for disturbing the peace. At the moment we are trying to bring his asylum proceedings to a positive conclusion.'



Mrs. G., a Nigerian citizen, ordered spare parts for her washing machine from an electrical shop. When the service engineer came to install the parts, Mrs. G. told him that she could only pay a part of the bill immediately and she would pay the rest a few days later. She was then subjected to racist abuse and told that she could 'work down' the rest of the price with sex. After the man had physically attacked her and injured her hand, Mrs. G. managed to call the police. A policeman and a policewoman arrived. However, they only spoke to the man and did not allow Mrs. G. to have her say. The policewoman told her to pay the outstanding sum. Comments were made such as, 'You can do that kind of thing at home in Africa, but here people pay.' Mrs. G. was also insulted by the police and

kicked on the leg. After the incident, Mrs. G. came to our counselling centre and we took her statement. Medical examination in hospital showed light bruising on the legs and laceration and bruising on her hand. In a further talk with Mrs. G. in which we discussed the possibility and the risks of officially reporting the conduct of the police, Mrs. G. decided against it.



On X.10.2001, a woman of Turkish origin was attacked by a neighbour in the courtyard of the council apartment building in which she lived. She called the police and was later taken to hospital in an ambulance. Next day, when she went to the police station in the XXX-Gasse, Vienna to ask if notification had arrived from the hospital, the policeman on duty answered that she should be happy that he didn't 'lock her up right now'. In Turkey she wouldn't immediately run to the police or to court if someone treated her that way. She answered that human rights exist everywhere and if her husband hit her she would also go straight to the police and he would be punished. The policeman replied in so many words that yes, that was true, but unfortunately her attacker was an Austrian and her husband a Turk.

Housing



A woman who fled to Austria and her husband told us about their experiences with social workers in a home for refugees. Despite the fact that the woman was pregnant the couple were allocated a council flat with only one room. As she said that the flat would be a little small for three people, the social worker answered to the effect that, 'It's anyway enough for foreigners if they have a roof over their heads.' She said the other chance would be to sleep on the streets. As the woman told us this story, she broke down in tears.



Mr. B. sent us an online advertisement for a flat from an estate agent with the words: 'No foreigners.' Mr. B. is an Austrian but wanted to answer the advert pretending to be a foreigner and report what happened.



Mr. H. sent us the following email: 'basar, No. 609, 28. March 2001, page 31: 1090 wien, liechtensteinstr. 98m2, 3 rooms, kitchen, tiled bathroom, wc, hall, gas central heating, parquet floors, rent ATS 9822 – only Austrians, Estate Agent XX, Tel.: X'. We wrote to the company asking about the stipulation 'only Austrians' and received the following answer. 'Dear Madam, Only a small proportion of our advertisements carry the stipulation 'only Austrians' or 'only EU citizens' and this is done at the express wish of our clients. This notice not only saves us a lot of time and energy but also our non-Austrian flat hunters who we would then have to refuse permission to view the flat. We hope to have clarified the situation sufficiently. Kind regards, XX, Manager.'



Mr. O. told us of a flat-hunting experience. On 25 June 2001 he viewed a flat in the 6th district of Vienna. Since he liked the flat he decided to sign an 'offer to rent' (apparently as the only person interested). An appointment was made with the estate agent and the landlord to sign the tenancy agreement on the following Sunday. When Mr. O. arrived for the appointment, nobody was there. He phoned the estate agent to ask what was the matter. He was told that the landlord should already have phoned him on Thursday to say that he needed the flat for his sister. After several calls from Mr. O. and friends of his to the landlord it became apparent that the landlord simply did not want a black tenant. Among other things, he said that his ex-wife had a liking for dark-skinned men and therefore feared that O. would quickly 'land in her bed'. However, the landlord said he would be willing to help O. in looking for other suitable accommodation. After this, he did not get in touch again. The 'offer to rent' is unfortunately not legally relevant since it has the proviso that the landlord must agree and the flat was quickly rented to another tenant. Mr. O. can therefore do nothing.



The Evangelical Refugee Service (EFDÖ) accommodates asylum-seekers in so-called 'temporary flats' in buildings about to be renovated and pay only the operating costs. An employee of the refugee service reported the abuse to which one of her dark-skinned clients and her son, who had already learnt a lot of German and understood what was being said, had been subjected by neighbours. Since there were hardly legal opportunities for redress, we suggested a personal discussion with the neighbours and then possibly a letter to the property managers of the house as a next step.



The EFDÖ found Mr. N. accommodation in a shared flat. The day after moving in he was arrested by the police and shortly afterwards sentenced to one year in prison with the judge ordering that he serve a minimum of three months. After about three months he came back to the flat and found that it was empty. However, Mr. N. wanted to have all his belongings that had been in the flat at the time of his arrest. Several telephone calls to the property managers of the house produced no result. Mr. N. believed that his property was stored in the cellar of the house. When we telephoned the impatient property manager it became clear that he was not prepared to cooperate. Mr. N. did not receive his possessions back.



Mr. E. comes from Nigeria and has lived in Austria for 10 years as a recognised refugee. He has been married to an Austrian for two years. At first he lived with her and her four children from a previous marriage in a council flat. Due to serious family problems including the drug addiction of the eldest stepson – in which connection Mr. E. was suspected by the police of supplying him with hard drugs – Mr. E., his wife and youngest child moved out of the flat. Mrs. E. had had psychological problems and was admitted to hospital for a time and then, in agreement with Mr. E., moved out of Vienna. Mr. E. reported to us that he had previously been harassed by the concierge of the building and that the police had had to be called. However, when his wife moved out the situation escalated: death threats, impertinence, extremely rude abuse, being locked out in the garden, having the flat door blocked from the outside with furniture and more. Mr. E. called the police several times and reported the incidents. The concierge was summoned but did not change her behaviour.



Ms. P. cannot walk and is regularly picked up by a minibus. Her neighbour threatened to report her to the police because the minibus parked in the courtyard and the radio was turned up too loud. Some years ago, Ms. P. was subjected to anti-Semitic abuse by her neighbour while stuck in the lift. The neighbour refused any help

because she did not have 'Arian blood'. After a lawyer became involved there were no further anti-Semitic insults. The minibus driver was also abused as follows: 'Dirty foreigner. Yugos out!'

Auch die Fahrer des Fahrtendienstes werden folgendermaßen beschimpft: „Schmutziger Ausländer, Tschuschen raus.“



Mr. A. moved into a flat in the 2nd district of Vienna in August 2001. Since then his family has been abused and threatened by the neighbours opposite. 'I'm going to kill you Jews!', 'I hate Jews', 'You should be burnt', 'Shit Jews'... On X August 2001 the neighbour came into their flat with a large kitchen knife and threatened them. They managed to get him out again by threatening to call the police. Next day, Mr. A. and his father were once again threatened with the knife on the street. They called the police and several cars arrived. The neighbour once again shouted, 'I'll kill you Jews!' He became violent and the police took him away in handcuffs. The police were very cooperative. For one week the neighbour was not seen and presumed to be remanded in custody. He then returned home and abused the A. family as before.

**Frauen
Aktiv**

During a project painting a courtyard, a group of about 3-4 boys aged between 14 and 17 who lived nearby used the paint intended for the courtyard walls to daub a swastika about half a metre high on one wall. The project had to be postponed. The boys were known to some of the project organisers and the incident was discussed both on the spot and in subsequent discussions with them. About a month later I discovered a swastika of the same size on another wall of the courtyard. This was painted over by the caretaker.

Public authorities and institutions



Mrs. M. telephoned to report that her son-in-law, who is a Chilean citizen and has not lived in Austria for very long, was unemployed and – because his wife had died shortly before – was solely responsible for bringing up his daughter. Mrs. M. wanted to ask for advice from the social security office about what her son-in-law should do in this difficult situation. When she called the social security office in the 19th district, she spoke with an extremely unfriendly woman who in answer to the information that the man was unemployed, replied: 'Then it's high time he did some work. The foreigners come here and then go home and realise how great everything is here in Austria and then they want to come back, have no job and then want social security benefit...' Mrs. M. said that the official was very aggressive and allowed full rein to her prejudices. Mrs. M. was outraged – we advised that because her son-in-law was in a dependent position in relation to the official, no intervention should be made without his express wish – and the victim himself did not contact us again.



Mr. T. is an Austrian citizen who was not born here and has lived in Austria for 13 years. He recently completed his military service. He reported that more than half the men in his group were 'foreigners', by which he meant not Austrians by birth. They were continuously abused as 'foreigners' and 'Yugos' by their superiors. Vice-lieutenant H. drew particular attention to himself. Mr. T. reported how Muslim recruits were handled. The fact that their religion forbids them to eat pork was either ignored or ridiculed. The idea of serving pork without telling anyone was even seriously considered by officers.



Mr. O. is now in Prison G. He was previously in Prison S. where he repeatedly suffered discrimination and was abused by prison officers due to the colour of his skin. Eventually there was a fight with one of the officers and criminal charges have been brought against him.



Mrs. G. is a Muslim and her seven year-old daughter goes to Islamic religion classes at her primary school – a fact known to her class teacher Mrs. A. (the girl is not the only Muslim in the class). When her daughter was asked to learn by heart a Christmas carol containing the words 'Jesus is our Lord', she went to the teacher and explained that in her religion Jesus is a prophet and that this sentence was against the belief of a Muslim. Therefore, if it was just practice in learning by heart, could her daughter learn another text? The teacher had little understanding for this suggestion. Just two days later the girl came home with the text for a Christmas play called 'The Star', for which the teacher had also given the girl a part. Excerpt from the text: 'Who are you? – A human. – A Nigger (said by the African). – What are those black boys? – Look at the flat-noses (meaning the 'Eskimos'). – We are Eskimos, come from the north and are men. – We are also humans. We are called Niggers. – Urgh! Niggers are dirty! – Yuck! Eskimos stink! ... (The 'Indian' asks) Who are you? – (The messenger replies) A human. ... The Indian is a poor redskin' etc. etc. (The representatives of the various groups argue and abuse one another until they finally discover that they will only find the baby Jesus if they can make a complete star from the different pieces they have been given by the messenger.) Mrs. G. was outraged by the text and pointed out to the teacher the racism it contained. The teacher replied: 'I thought straightaway that you would get upset about the text and that's especially why I chose it.' When Mrs. G. phoned the education authorities to complain that her child was confronted with such racist passages at school, she was told that such texts are completely normal and they had always been used in teaching. ZARA arranged an appointment with the teacher and the headmistress of the school. During the discussion the headmistress admitted that the play was old-fashioned. The teacher explained that she had chosen the piece because she wanted an intercultural play and added that she had explained to the six and seven year-old children that, 'For some people the word Nigger is a term of abuse.'



Mr. W. has an adopted son who was born in Romania and is going to school in J. There he is completely isolated, the only one who is not Austrian by birth, and confronted with racism on a massive scale. He has strong feelings of guilt believing that the situation is his own fault. We recommended an organisation which specialises in coaching youngsters and also advised therapeutic support and recommended him spending some time in Vienna during school holidays to make contact with other youngsters in a similar situation via the association 'back on stage'.



M. is 16 years old and goes to a polytechnic college. On Wednesday, 21 March 2001 he was subjected to racist insults by his classmate T. After they had argued again and T. had insulted M.'s mother, M. was at a loss what to do and hit T. in the face. The following day the classmate's mother arrived at the school and told off M. in front of the whole class during an English lesson. (The teacher did nothing to prevent the woman disturbing her teaching.) T.'s father also often threatened M. when picking T. up from school. M. was then reported to the police by his classmate. We accompanied M. to the police station and said that M. was willing to end the conflict with his class-

mate through mediation. When the mediator contacted the classmate his reaction was promising but after discussing the matter with his parents he was no longer willing to take part in mediation.

Frauen Aktiv

The teacher, Ms. H., complained to one of our staff, Ms. Z., that in addition to the 'problems with foreign children', she also had problems with difficult parents. Ms. H.: 'For example there is a mother who got terribly upset that her son, K., was called a Nigger by other children in the class! But K. is a Nigger!' Ms. Z.: 'But Nigger is a derogatory word!' The teacher, Ms. H.: 'No it's not, I looked it up in the dictionary. It comes from niger, meaning black!' In connection with the 'problems with foreign children' the teacher spoke about the aggression of her pupil, G. When Ms. Z. asked about the reasons for this aggression she answered, 'Just so. It's in his nature!' The pupil G. is of Turkish origin. The mother of the pupil, M., also reported that the teacher, Ms. H., had said, 'It would have been better if the Taliban had bombed you!' During the course of more intensive cooperation with the school (i.e. the teacher, Ms. H., and the headmistress) and the parents of children in Ms. H.'s class, discussions took place with all involved. The parents' complaints were passed on to the headmistress. Further steps are currently being planned in consultation with the headmistress.

ZARA

Mr. A.'s cousin was in the final class of compulsory schooling and wanted to go on to train to be a nurse at the Vienna Municipal Vocational College (Fachschule der Stadt Wien für wirtschaftliche Berufe). At the first interview at the school, she was told (she is Turkish, a Muslim and wears a headscarf) that she would not be allowed to wear her headscarf at work because there were dress regulations and because 'otherwise all the other students would be envious because they would want to wear some kind of headgear'. The director of the college wanted 'uniformity in clothing' and therefore did not accept headscarves. For example, she did not want all the students running round the school in caps. When a ZARA counsellor spoke with her on the telephone, the director could not see that her attitude was exclusive, although it was pointed out to her that the headscarf is worn for religious reasons and not because of fashion. She merely replied that she would not be allowed to go around in a mini-skirt in Muslim countries and hung up relatively abruptly. We therefore made an appointment with the Vienna Education Authority. However, the discussion did not end satisfactorily. The young woman finally found another college. Her cousin phoned us and to thank us very much for our help.

ZARA

The Islam Association in Austria reported: 'A fourteen year-old Muslim wanted to register at Commercial College in Traun but had to give up the idea when she discovered that any form of headgear is forbidden. Since she dresses like this for religious reasons, she felt herself unable to remove her headscarf'. The principal of the Commercial College in Traun, Wolfgang Weingartner, said that it was not usual for someone to wear any form of headgear during lessons. It was 'politeness' and did not only relate to headscarves but also to hats or caps. Wearing headgear was not usual in all the town's schools with around 1,500 students. It was not 'xenophobia'. On the contrary, his school was very friendly to foreigners, there were many foreign students. The president of the School Council for Upper Austria, Johannes Riedl, stated: 'I tend to think that at least this rule contradicts the human right to freedom of religion. If the parents disagree with the school's decision, they should ask for written notification of the decision. On the basis of this they could appeal against it to the School Council for Upper Austria and we would carefully check the legality of the decision.' The Islam Association in Austria stated: 'The free practice of religion is guaranteed under articles 14 and 15 of the Austrian constitution for those belonging to recognised religions. Wearing a headscarf is a religious commandment for female Muslims from puberty and is therefore part of religious practice.'

ZARA

Mr. R. is of Iranian origin and has worked for a student organisation at a Vienna university for 10 years. At a student festival he was abused by two students because of his 'Against black and blue' (against the current Austrian government coalition of the Austrian People's Party and the Austrian Freedom Party) badges. Then a third student, whom he knew, came up to him saying, 'Without us you would have starved to death ages ago!' When Mr. R. told him about his past experiences as a refugee and how difficult things had been in Austria under the social-democrat minister Löschnak, the student answered, 'Well, if you don't like it, then just go home,' and added in English, 'Go home!' Mr. R. was so outraged that he slapped the student in the face. After this incident Mr. R. became hysterical and broke down in tears. He said that he had previously had conflicts with members of the right-wing Freedom Party Student Ring but he would not have expected it from those belonging to a left-wing student organisation. He agreed that ZARA should write a letter to the student organisation – to which we never received an answer. However, Mr. R. contacted us again and reported that the letter had arrived and had made the students feel uneasy. They were especially concerned that someone would hear about it. They apologised informally to Mr. R. and he was satisfied with this.

IMÖ

Since 1983 there has been religious instruction in Islam for Muslim schoolchildren at Austrian schools. One result of this has been generally good contacts to Muslims and their administrative bodies, which has been particularly advantageous in the current situation. Many schools have organised interdenominational services to

which Muslim schoolchildren and their teachers have also been invited to take part in the planning and preparation. Religious instruction teachers agreed to visit the lessons of the other religions. There was continuous contact between the religious communities and the authorities. Despite this, there have been individual cases of abusive and racist remarks between children and youngsters. It cannot simply be accepted that Muslim children are discriminated against with comments like, 'You Muslim pig'. A Catholic religious instruction teacher said that she was also concerned about the unfounded judgements of Islam passing around the staff room. The positive measures should be brought together to create better structured projects to promote a more realistic and differentiated view of Islam. Studies such as that by Susanne Heine at the beginning of the nineties of how Islam is portrayed in German-speaking school textbooks can only have a lasting effect if they are transformed into action.

GggR

Background: On 27 September 1999 Mr. O. (born in Nigeria) was arrested on the pretext of 'drug dealing' during a racist raid* at the Zohmannngasse men's home. On X November 2000 he was found not guilty on all charges. Mr. O. had therefore been remanded in custody for more than 13 months although he was innocent. Under Austrian law he would therefore be entitled to approximately 36,000 compensation. However, his claim had not come before a court when a deportation order was issued against him and he was taken into custody. When being deported on X December 2000 he refused to board the plane. He was then remanded in custody in Korneuburg accused of resisting the police. While imprisoned in Korneuburg he was refused a visit on the grounds that he would speak English and the official language was German. At his last court appearance in Korneuburg Mr. O.'s lawyer insisted again that witnesses for the defence who had been called but not testified in the first trial should take the stand. The case was then adjourned for an indefinite period and Mr. O. was once again remanded in custody for deportation. Citing the EHRC, Mr. O.'s lawyer then applied for a ban on deportation due to the 'Decree 33' implemented in Nigeria. In the first instance this application was refused on ridiculous grounds. The lawyer appealed against the decision and this was rejected practically without explanation after 3 months. Mr. O. was informed of this decision on the afternoon of X October 2001. Two days later, at 5 o' clock in the morning he was deported to Nigeria on a chartered plane (which had already been booked weeks in advance!) after having also been refused a visit from his lawyer. Any further opportunity for appeal or complaint was thereby removed. **Summary:** the Austrian courts could not convict Mr. O. of supplying drugs, he was found not guilty. The compensation due to him for time spent in prison has still not been legally decided. His court case for resisting the police was adjourned before defence witnesses could testify. There is still no decision on this case. The well-founded application to overrule the deportation order was also refused by the executive in the second instance with completely untenable legal arguments. Mr. O. was deported to Nigeria before an independent court could hear the case. The Republic of Austria has thereby robbed Mr. O. of two years of freedom and defrauded him of over 50,000 Euro. In Nigeria Mr. O. was only able to avoid prison – which according to Amnesty International is life-threatening – due to a great deal of luck and protection money. According to civil liberties organisations over 10,000 people died in Nigerian prisons between 1995 and 2000. In the province of Lagos alone 20 prisoners were dying per week in the middle of 2001.



Mrs. T. is a citizen of one of the former Yugoslav republics and has suffered for many years from depression caused by the trauma of war. Due to her psychological condition the court ordered a psychiatric report on her. The specialist came to the conclusion that Mrs. T. was not currently capable of dealing with complex matters (representing herself to the authorities, managing her financial affairs etc.) without being put at a disadvantage. The court therefore appointed an official representative for Mrs. T. When Mrs. T.'s Pelegrina carer called the representative to inform her what action she had taken so far, the representative answered: 'What can be done if someone can't speak German after so many years? There's no will to integrate. She should go back to her own country. She certainly won't find work or anything else, I'm not going to represent her anymore.' The court recently appointed a new representative for Mrs. T. due to the intervention of the Pelegrina carer.



Mrs. L. cancelled her ticket and went by underground to the doctor. When she got there and discovered that his surgery was closed she made her way directly home. She was wrongly informed and supposed she could travel on public transport for one hour with one ticket. She did not know that the ticket was no longer valid after a change of direction. A ticket inspector asked her for her ticket and she explained the situation. However, the inspector did not believe her and suggested that they could go to the police to clear up the matter. When Mrs. L. agreed and said, 'OK, let's go to the police,' he changed his mind and took her details. 'What? You are from Russia? How come you haven't got a weapon?' This comment makes Mrs. L. feel uneasy since she is from one of the former Soviet republics and fled the country because of war. The ticket inspector did not note that she had an invalid ticket but simply that she was travelling without a ticket. As a result of our letter to the Vienna public transport authority Mrs. L.'s fine was dropped. Until now, we have not been informed whether measures were taken against the discriminatory behaviour of the ticket inspector.

I. Outline statutory provisions pertaining to combating racism

The summary below covers those (constitutional and non-constitutional [simple]) provisions in current Austrian legal practice pertaining directly to racial discrimination. It makes no claim to completeness.

I.1 Fundamental principles enshrined in European Community law

On 29 June 2000 the Council of the European Union (EU) adopted the 'Council Directive implementing the principle of equal treatment between persons irrespective of racial or ethnic origin' [Directive 2000/43/EC] which entered into effect on 19 July 2000. The purpose of the Directive is to lay down a framework for combating discrimination on the grounds of racial or ethnic origin. At the same time Member States are urged not merely to act according to the minimum requirements laid down in the Directive, but to take all measures at the national level so as to provide for the optimal legal protection of the principle of equal treatment. Upon entering the European Union in 1995, Austria undertook to implement EU-law at the national level. By 19 July 2003 Member States shall adopt the laws, regulations and administrative provisions necessary to comply with the directive cited above which provides for the protection of private and family life, judicial protection against victimisation, empowerment of associations or legal entities to engage on behalf or in support of any victim, and the introduction of rules of evidence (burden of proof) more favourable to plaintiffs. Since, as indicated below, Austria disposes of only few legal instruments for combating discrimination, an honest application of the provisions stipulated in the directive would be desirable (see chapter 'Demands' below).

I.2 Fundamental constitutional principles

A number of provisions in the Austrian Federal Constitution contain the requirement that Austrian citizens be treated equally before the law (cf. Article 7, para. 1 of the Federal Constitution (B-VG/ Bundes-Verfassungsgesetz) and Article 2 of the Basic Law (StGG/Staatsgrundgesetz). Article 14 of the European Convention on Human Rights (ECHR) which enjoys constitutional standing prohibits discrimination. It explicitly excludes discrimination on the grounds of race, colour and national origin. The prohibition of discrimination, however, applies solely to rights prescribed in the Convention itself – in other words it applies solely to the most elementary human rights. Furthermore, pursuant to the Federal Constitutional Law governing the implementation of 'the international agreement on the elimination of all forms of racial discrimination' (RassDisk-BVG) every form of racial discrimination is prohibited. The RassDisk-BVG, however, accords the individual no immediate legal redress, but commits the judiciary and the implementing authorities to refrain from making any distinctions solely on the grounds of race, descent or national and ethnic origin. The practice of the constitutional court has enhanced the RassDisk-BVG somewhat in that it has derived from that provision the principle of equal treatment of 'non-nationals among and between themselves'. At first sight the constitutional provisions would appear to be far-reaching, but on account of extensive restrictions they fail to offer comprehensive legal protection against discrimination.

I.3 Fundamental non-constitutional [simple] principles

At the non-constitutional level a striking feature is that those few specific instances that provide for the penalisation of discrimination are scattered far and wide over a number of different acts. As a result numerous provisions are almost generally unknown and thus hardly find application. Moreover, there is no comprehensive law devoted to this topic. On the contrary, the manner in which the few relevant provisions have been incorporated would seem to reflect the importance attached to them in Austrian jurisdiction.

Relevant provisions in administrative law

In some of the cases presented in this report, one of the possible courses of action cited was lodging a complaint pursuant to the Introductory Law to the General Administrative Procedures Act (EGVG). In itself, the EGVG cannot be deemed a 'high profile' law. It is a rather unsystematic ragbag listing provisions that obviously could not be accommodated elsewhere. That notwithstanding Article IX, para. 1 subpara 3 of the EGVG contains a provision to the effect that: *... whosoever unjustifiably discriminates persons exclusively on grounds of their race, colour, national or ethnic origin, religion or disability or denies them access to places or hinders them from availing themselves of services that are intended for general public use, ... shall be subject to a fine of up to ATS 15,000.*

Taken at face value this regulation would seem to offer broad scope for adopting comprehensive measures against discrimination. None the less, for years on end that particular provision has been quite inconspicuous, dormant in the depths of the Introductory Law to the General Administrative Procedures Act (EGVG). Hardly any legal ruling casts reliable light on the content and purpose of Article IX, para. 1 subpara 3 of the EGVG. The first section of the law's definitional elements presents discrimination on the grounds mentioned as a general offence. The second section of its definitional elements refers to persons having been denied on those grounds access to public places (i.e. including such places as cafés, hotels and discotheques open to groups of people not more closely specified) and/or denied on the self same grounds services provided in such places which once again are intended for general public use (viz. being refused service in a café).

Victims or witnesses lodging complaints pursuant to Article IX, para. 1 subpara 3 of the EGVG are merely accorded the status of witnesses in the case itself and not being admitted as parties to the proceedings they enjoy no right to information as to the outcome. Together with the fact that the regulation sets a penal norm for the State whereas the victim is not compensated for the insult suffered, with no restitution being made, this is seen as an unsatisfactory state of affairs by those involved.

Closely linked to Article IX, para. 1 subpara 3 of the EGVG is § 87 of the Trade Licence Act which provides for the imposition of sanctions culminating in the revocation of trading licences in the event of traders displaying discriminatory behaviour. To date no cases have come to our notice where such sanctions were imposed for that reason.

As for the security police, the so-called directive for interventions by members of the public security service has been promulgated pursuant to §31 of the Security Policing Act. The directive stipulates that in the execution of their duties police officers and gendarmes have to pay particular attention to human dignity. § 5 of the directive reads: *In going about their duties, agents of the public security service have to refrain from all manner of activities that might give rise to the impression of prejudice or could be perceived as discrimination on grounds of gender, race or colour, national or ethnic origin, religious denomination, political opinion or sexual orientation.*

In those cases presented in the Racism Report involving the police, a number of references have been made to lodging an internal complaint on the basis of the above mentioned directive as a possible means of securing some form of legal redress. A complaint of this kind has to be addressed to the Independent Administration Review Board which then commissions the administrative supervisory authority concerned to investigate the matter and then inform those involved whether in fact an infringement of the guidelines took place or not (I hate the 'or not' as it is logically redundant, but you can keep it if you want). Should the complainant not be in agreement with the findings of the administrative supervisory authority, he or she may seek a decision of the Independent Administration Review Board which however merely limits itself to adjudging whether an infringement of the guidelines occurred or not.

With effect from 1 January 2000 provision has been made for entering into a 'frank discussion' with the agent(s) involved in the complaint instead of merely establishing whether an infringement had occurred. By this means the person involved has an opportunity to describe to the agent(s) the manner in which their behaviour was perceived and felt. Under certain circumstances a discussion along these lines can be more satisfying than merely establishing that the directives had been infringed. Regrettably, the decision whether these 'settlement talks' take place rests with administrative supervisory authority.

Relevant provisions in the Penal Code

a.) Aggravating factors

Legal rulings are characterised by elements constituting an offence and the legal consequence thereof (sanctions). Sanctions in the Penal Code (StGB) are formulated in terms of imprisonment and fines. The court has to determine the extent of the punishment in accordance with principles that are also laid down in the Penal Code. § 33 of the StGB cites reasons that are to be considered particularly reprehensible when determining the punishment. § 33 sub-para. 5 of the StGB considers it to have an aggravating factor when 'the culprit has acted out of racist, xenophobic or other singularly reprehensible motives.' The court thus has to investigate the motivation and as appropriate deem it an aggravating factor.

b.) Insults

In the event of being insulted in public or in the presence of several persons (two of whom should be distinct from the insulter and the insulted) by somebody (for example by swearing, showing disrespect by means of signs and gestures, or such actions as spitting or threatening grievous bodily harm), the person insulted can demand that the culprit be punished pursuant to § 115 of the StGB. That paragraph defines an offence subject to private charge; i.e. the charges are preferred by the person(s) insulted and not by the public prosecutor (public attorney). This means that in the event of the insulter being acquitted the insulted party has to bear the legal costs.

Especially racist insults can be pursued pursuant to § 117 para. 3 of the StGB. The assumptions correspond to those pursuant to § 115 of the StGB, going beyond them in that the insult ensued on grounds of insulted person's affiliation with a specific group (...member of an established church or religious community, of a race, people, tribe or state...). This is deemed an 'enabling or empowerment offence', with the person insulted being able to assign informal written power of attorney to the public prosecutor, whereupon the latter is obliged to pursue the matter officially and the victim does not incur the risk of having to bear the legal costs. That notwithstanding, the public prosecutor does not have to initiate court proceedings in every instance, should he/she believe that the evidence is wanting. Should no inquiry be held, the victims are once more left to their own devices.

c.) Incitement

By virtue of § 283 of the StGB, a person is deemed culpable of incitement:

(1) who incites or instigates in a manner liable to jeopardise public order an inimical act against a church or religious community established in the country or against a group determined by their affiliation to such a church or religious community, or to a race, people, tribe or state, or

(2) who agitates against or insults in a manner defamatory to human dignity or endeavours to condemn one of the groups defined in para. (1).

The crime is liable to a term of imprisonment of up to two years.

The persons so protected comprise groups displaying features in common (individuals who have been insulted can only resort to the provision contained in §§ 115 and 117 of the StGB). Legal redress is not provided for in instances of incitement against 'foreigners' in general, since for want of the corresponding features the latter do not belong to one of the groups cited in § 283 of the StGB. Incitement against Romanians, Poles or Áfricans', however, would constitute an offence in principle, yet it would also have to incur instigation or incitement likely to disturb the peace (para. 1) and/or constitute an insult or condemnation defamatory to human dignity (para. 2). For the most part, the elements constituting the offence are not precisely stated, further to which they are defined very narrowly, so that neither legal practice nor theory provides an unambiguous indication of the point at which the facts of the case constitute an offence and qualify as incitement.

The provision pertaining to incitement also vies with the Prohibition Act drawn up to combat the resurgence of National Socialist activities.

I.4 Fundamental principles in civil and labour law

The sphere of civil law (the sphere in which private individuals conduct legal business with each other) is completely devoid of any directives that might offer legal redress against racial discrimination. On the one hand Austrian civil law hinges on the basic principle of private autonomy (simply stated; everybody is free to choose his or her own partner) while on the other hand basic rights apply only in relation to legislation and its enforcement (the issue of the impact of basic rights on third parties). No effective legal instrument is to hand that could be applied to address the problems encountered in cases relating to the labour and real-estate markets, nor to the highly problematic classified ads for housing and jobs with their supplementary remarks about 'Austrians only' ["Nur Inländer"].

A prominent feature in the sphere of labour law is § 4, para. 4, sub-para. 3 of the Aliens Employment Act (AuslBG) pursuant to which it is prohibited to employ non-nationals at rates of remuneration and under conditions of work inferior to those stipulated for nationals.

II. Overview of current international and national developments

The individual case reports described in this Racism Report clearly show the need for anti-discrimination legislation. By joining the EU Austria committed itself to implementing EU equality legislation to make no distinction due to 'race' or ethnic origin by 19 July 2003. As noted in the section on the legal framework, during the last year not a single thing has been done in Austria with regard to anti-discrimination legislation. Individual initiatives and statements from some of the relevant authorities during 2001 point to a trend in the opposite direction. Summarised below are some current developments on international and national levels which relate to Austria. The summary makes no claims to being complete.

II.1. International level

II.1.1. Council of Europe

On 4 November 2000 Protocol No. 12 was put before the European Convention on Human Rights (ECHR) for signature. The protocol provides for a general ban on discrimination due to gender, race, colour of skin, language, religion, political belief, national or social origin, belonging to a minority, poverty, birth or status. In contrast to Art. 14 ECHR (see the section Outline of Statutory Provisions) this is a general ban on discrimination which does not only refer to the rights provided under the ECHR. However, the protocol becomes binding only after being ratified by ten states. On 4 November 2000 Austria signed the protocol (along with 25 other states) but until now has not ratified it. So far it has been ratified by one country (Georgia) and is therefore not legally binding. On 3 April 2001, the second report on Austria from the European Commission against Racism and Intolerance (ECRI) was published. The ECRI recognised that Austria had signed a series of international legal instruments for combating racism and intolerance and had ratified some of them but saw the need for a further series of initiatives. Particular mention was made of the need for an adequate and effective legal framework to combat these phenomena and the necessity that immigration and integration policy should promote real social cohesion between members of various communities in Austria. Although the ECRI acknowledged the initiative to include diversity training in the executive it demanded further efforts in this area and more concrete and efficient reaction to racist or discriminatory behaviour on the part of the police. Furthermore, the ECRI criticised Austria's lack of willingness to allow immigrants to participate in public life at local council level (particularly local council elections) and the lack of the right to stand for election of works councils and chambers of work. It also criticised the form of the Employment of Foreigners Act (AuslBG), which forces non-nationals to accept appalling employment conditions so as not to lose their residence status by losing their work permit. (In this connection the ECRI also calls for § 8 (2) AuslBG* to be removed.) The ECRI was particularly concerned by the use of racist and xenophobic propaganda in politics.

II.1.2. European Union

On 7 December 2000 at the meeting of the Council of Europe in Nice, the Charter of Basic Rights was proclaimed. The charter should apply to all people, irrespective of nationality, and among other things contains protection of the respect of human dignity and a ban on any form of discrimination (due to gender, skin-colour, ethnic or social origin, language, religion or belief). The status of the charter is so far undefined and is therefore not legally binding in any way. In addition to the above-mentioned EU Directive 2000/43/EG, on 2 December 2000, Directive 2000/78/EG was passed – this creates a framework for combating discrimination in the field of employment due to religion or belief, a handicap, age or sexual orientation. The directive is to be implemented by member states by 2 December 2003.

II.1.3. United Nations

The World Conference Against Racism (WCAR) – the third after 1978 and 1983 – took place from 31 August to 8 September 2001 in Durban, South Africa. Preparations were made for the conference with four regional conferences and three 'PrepComs', which led to a real flood of proposals to deal with. The conference was preceded by a youth summit and the NGO Conference took place in parallel. Core issues for wide discussion were the Middle East conflict, the question of victims of racism, the reasons for racism and how to deal with injustices of the past. The Middle East question in particular threatened the collapse of the conference and finally led to the representatives from Israel and

* § 8 Abs 2 stipulates that, in order to protect the jobs of Austrian employees, work permits are to be issued on the condition that a) if the number of jobs is reduced, foreigners are to be laid off before Austrian employees and, b) if shorter working hours are introduced, as defined by Austrian employment law (Arbeitsmarktförderungsgesetz), foreigners are to be laid off before this introduction if, in the long term, shorter working hours could be avoided in this way.

the USA leaving early. However, the fact that the conference continued in spite of this and was finally able to present two key documents (the 'Plan of Action' and 'Declaration' as well as a document drafted at the NGO Conference) shows that great importance is given to the struggle against racism at international level. However, these documents are not legally binding in any way. How different approaches to racism can be – based upon region – was shown by the attempt of the EU delegation to have the word 'race' removed from the protocol. However, this was vehemently criticised, especially by representatives from African and Caribbean countries. Whereas in western countries, discussion in recent years has moved towards rejecting the concept 'race' due to Nazi racial theories, representatives from some countries who had been suppressed for years on supposedly 'racial' grounds found it a mockery that now that western countries see no advantage in these 'superior and inferior categories' this evidence of colonial suppression should be scrapped.

II.2. National level

II.2.1. Integration Contract

On 2 October 2001 the cornerstones of the so-called 'Integration Contract' were decided by the Austrian cabinet. This provides for the compulsory attendance of migrants at German language courses and Austrian citizenship courses and that they should pass an examination. Measures against default – called 'refusal to integrate' (sic) in the decision – include fines and expiry of the right of abode in Austria. The target groups named are newly-arriving work migrants (in accordance with the immigration quota this refers to workers in key professions), unemployed non-EU citizens and those whose right of abode is not fixed in accordance with the Rights of Foreigners Act (Fremdenrechtsgesetz) who apply for a residence permit. The costs should be covered by the state, employers, NGOs and the migrants' own resources. The name 'Integration Contract' is in itself deceptive and distorts reality. A contract is a legal transaction for which the agreement of two parties is necessary. Remarks that this 'contract' 'should promote cultural and social coexistence, reduce the fears and concerns of the Austrian population' and 'reduce social security abuse' give a clear indication of the supposed 'reciprocity' of such a 'legal transaction'. Those affected by this 'contract' were not consulted. The idea of integration is once again being used to disguise forced integration and deny that integration is a two-sided process in which, besides migrants, 'natives' are also involved and in which influence is mutual. Integration also means opportunities for participation, a reduction in forms of racism and the preservation of cultural independence. The reasons why a comparison with the frequently mentioned Dutch model is misleading lie precisely in the lack of these parameters in the Austrian concept of integration. Communication – and therefore also language – is without doubt an important precondition to be able to manage in everyday life in a foreign country. By linking language learning with sanctions which go as far as losing the right of abode, it subliminally suggests that migrants resist learning the language. No attention whatsoever was paid to the language courses which have been provided for years by NGOs – these are voluntary and cannot complain about a lack of participants. (Many of these initiatives from NGOs have had financial subsidies cut.) This also denies the specific conditions which make life more difficult for migrants in Austria such as long working hours, unsocial working hours, childcare, financial and cultural problems etc. The question as to whether it is beneficial to the Austrian economy that the 'key workers' needed pass examinations in German and Austrian citizenship is merely mentioned in passing here. Even the hope that in the course of amendment to immigration law at least the right of abode would be linked to the right of access to the labour market was completely disappointed after news of the latest developments in the 'Integration Contract', according to which this should only apply to 'key workers' (see *Die Presse*, 6 February 2002). What remains is a bundle of additional obligations for migrants under the guise of an 'Integration Contract', without improving their legal standing in even one point. An integration contract worthy of its name cannot amount to nothing more than a one-sided approach. A comprehensive package of measures is necessary which also gives migrants rights. Coming back to the comparison with the Netherlands, the Dutch ruling on equality, which does not only apply to Dutch citizens (see Art 7 B-VG) but includes everybody who is in the country, should not go unmentioned.

II.2.2. Anti-discrimination law

In March 2001 the Ludwig Boltzmann Institute for Human Rights publicly presented a draft for an anti-discrimination law. The draft was made in consultation with involved NGOs and experts. The draft is in the form of a general anti-discrimination law and covers discrimination on grounds of gender, skin-colour, language, sexual orientation, gender identity, age, handicap, ancestry, origin, 'race', ethnic or cultural affiliation, nationality, religious conviction or political belief. Protection against discrimination includes both constitutional, administrative and civil law and particularly provides for measures against (direct and indirect) discrimination in the areas of housing and employment as well as access to goods and services. Other cornerstones of the draft are education, cultural and political

activity, the conduct of authorities with third parties as well as measures against defamation in public space. The creation of a specialised ombudsperson post would be a point of contact for people who experience discrimination and an office for the further development of measures to combat discrimination.

Introducing the courts and arbitration offices and allowing representative legal action would create many opportunities for combating discrimination.

This draft has been in existence since March 2001 – it appears that it is only the political will and courage to implement it which is lacking. In 2001 a proposal to set up a parliamentary commission to examine the introduction of an anti-discrimination law was on the agenda of the Main Parliamentary Committee. However, in the end, no time was found to deal with it.

II.3. Sources and further information:

Committee on the Elimination of Racial Discrimination (CERD)

<http://www.unhchr.ch/html/menu2/6/cerd.htm>

European Commission against Racism and Intolerance (ECRI)

<http://www.ecri.coe.int/>

European Network Against Racism (ENAR)

<http://www.enar-eu.org/>

European Monitoring Centre on Racism and Xenophobia (EUMC)

<http://www.eumc.at/>

UN - High Commissioner for Human Rights (UNHCRHR)

<http://www.unhchr.ch/html/>

World Conference Against Racism (WCAR)

<http://www.un.org/WCAR/>

Wiener Integrationsfonds (WIF)

<http://www.wif.wien.at/gleichstellung.htm>

networking by ANAR (Austrian Network Against Racism)

After years of standstill in the second half of the nineties following the 'Lichtermeer' in 1993, a new more emancipatory stand against racism, growing out of anti-racist subcultures (NGOs involved with migrants, migrants' organisations and political groupings) was started. The foundation of ANAR, the protests against the killing of Marcus Omofuma and the varied activities against the ÖVP/FPÖ coalition government were milestones along the way. The first successes can be seen in the way that so-called moral anti-racism has been discredited in NGO circles. After 3 years' work there is now a general consensus in the anti-racist scene that racism is anchored in legislation and is not only a moral evil or an individual disease or failing. To a certain extent, the merely moral condemnation of racism even prepared the ground for the establishment of racist structures (with the motto 'Legislation not hatred').

During the nineties, laws were passed by the social-democrat/conservative coalition implementing demands made in the officially condemned so-called 'Foreigner referendum' initiated by the right-wing Freedom Party. This in turn prepared the ground for the taking over of government by the right wing in 2000. The Austrian Network Against Racism (ANAR) joined a process of political struggle against racism. Discursive positions of political anti-racism are being spread by means of empowerment and networking, especially with smaller migrant organisations, and will contribute to the creation of a social movement against racism. Networking is like carpet-making. New channels of information are continually being opened like threads on the edges of the closely-knit horizontal anti-racist network. Depending on the more or less attractive political conditions, the threads become interwoven into discourses and common discursive positions. Political anti-racist positions have been spreading since 1998, primarily in the anti-racist scene. This position gained currency as part of the protest movement against the right-wing/extreme right-wing government.

During the last two years, anti-racism has taken on far more significance in the critical emancipatory spectrum of the civil society. The varied publicity work carried out by ANAR in loose cooperation with NGOs and other groups hardly pays any attention to the extreme right or declared racists. It is directed primarily towards the racist consensus of the political centre drawn up at state level. Because of the way it sees itself, the political centre does not want to be racist and must therefore enter the discussion on a new definition of racism. Publicity work focuses on particular conflicts to do with action, delaying action or inaction against forms of racism. The offensive on the part of anti-racist groups thereby particularly takes the form of protest against racist structures, denying the legitimacy or integrity of anti-racist action or remonstrating that particular anti-racist demands have not been met. The introduction of the position of non-citizens as new actors in the political life of the country has not only led to an expansion of the issues involved but to a reshaping of the whole political landscape and thereby of the political in itself. The drawback to the admittance of these comparatively weak new actors into the debate with the established powers is the danger of legitimising and creating acceptance for the so open-minded and tireless representatives of the existing order. Following on from this, the form of relationship to political parties and existing interest groups has been a sensitive and controversial issue.

Democratisation and equality targets play an important role within the network in order to give it legitimacy when speaking out. In the area of representation a central point was the step towards building up positions for migrants and the easing out of representatives who were not discriminated against in favour of 'organic intellectuals'. Due to the amount of work involved in organisation, new network nodes (small working groups with overlapping personnel and various functional priorities) are created or existing organisations become part of the network. These nodes pull fairly much together while carrying out a variety of work and spin new threads towards potential allies. Use of the internet for building up systems for the rapid exchange of information also enables efficient linking to transnational policy and lobbying networks. Feedback and synergy effects are growing with the size of the network. In the process, the network is not proliferating chaotically but is 'softly' controlled through many-sided open channels of information, opportunities for the integration of interests and (for insiders) transparent decision-making processes.

A counterweight to institutionally anchored hegemonial arrangements, which is not based upon representation but upon participation, is thereby developing. In the process, two completely different concepts of democracy meet head on, which is a continual cause of conflict. Although the network does intervene in political processes, it can never become a new systemic political counterweight in the sense of the concept of division of powers. Nobody

can speak for the whole network. Until now, all initiatives towards founding an (anti-racist) migrant party have been rejected. Instead, the network works at successively undermining state and hierarchical control by gradually taking away its following. ANAR is working to make sure that this process towards emancipation and independence continues and finally bears fruit in becoming an effective counterweight. In doing so, we must leave behind the tight corset of identity politics. One result of this is new opportunities for joint action among groups which had previously acted separately, also outside the immediate spectrum of anti-racism. The influence of the Wiener Wahl Partie (Vienna Election Party) in the Vienna Council election campaign in 2001 shows how successfully artists, the culture scene, organisations for a 'minority alliance', grass-roots youth organisations involving social workers and the political anti-racist current can work together in new network structures. ANAR keeps networking.

List of contributing organisations



EFDÖ, Evangelischer Flüchtlingsdienst Österreich

1170 Wien, Stenergasse 3/12

Tel: 402 67 54, Fax:-16, email: gf.efdoe@evang.at



Fair play, Viele Farben. Ein Spiel

Am Wiener Institut für Entwicklungsfragen und Zusammenarbeit (VIDC), www.vidc.org/fairplay



Verein FIBEL - Fraueninitiative Bikulturelle Ehen und Lebensgemeinschaften

1020 Wien, Heinestraße 43, Tel. + Fax: 01/212 76 64, email: fibel@eunet.at, <http://members.aon.at/fibel>

Tues, Thurs 10.00 – 17.00, Fri 12.00 – 17.00; Contact: Petruska Krcmar or Gertrud Schmutzer



Forum gegen Antisemitismus

1010 Wien, Seitenstettengasse 4

Tel: 01/531 04-255, Fax: 01/531 04-980, email: forum_wien@hotmail.com



Frauen Aktiv

Verein Wiener Jugendzentren

1030 Wien, Lechnerstraße 2-4 (in Zentrum Erdberg)

Tel: 715 69 81, email: FrauenAktiv@jugendzentren.at



Verein Gemeinsam Gegen Rassismus! - United Against Racism

Postal address: 1090 Wien, Währingerstraße 59

Tel: 0676/770 97 26, email: gemeinsam@action.at, <http://united.action.at>



GEMMI - Gesellschaft für die Menschenrechte von MigrantInnen und Marginalisierten

1070 Wien, Stiftgasse 8, email: gemmi@t0.or.at

Each first Friday in the month, open evening from 19:00



Initiative muslimischer ÖsterreicherInnen

email: baghajati@surfeu.at



LEFÖ - Lateinamerikanische Emigrierte Frauen in Österreich

Kettenbrückengasse 15/4, 1050 Wien

Tel: 01/581 18 80, Fax: 01/581 18 82, email: lefoe@aon.at, <http://www.t0.or.at/~lefoe>

Contact: Maria Teresa Gallardo (Counselling), Elisabeth Harrasser (German courses), Doris Cordova (migrants in the sex industry)

Mon, Wed, Fri: 9.00-14.00, Tues: 14.00-19.00 (please call first to make an appointment)

Telephone counselling: Mon - Fri (except Thurs) 11.00-14.00



LEFÖ/Interventionsstelle für Betroffene des Frauenhandels:

Markhofgasse 4/6, 1030 Wien

Tel: 01/796 92 98 Fax: 01/796 92 99, email: lefoe_ibf@t0.or.at

Contact: Vlatka Frketic, Evelyn Probst

Mon, Tues, Fri: 9.00-14.00, Thurs: 14.00-19.00



LICRA-Österreich

Internationale Liga gegen Rassismus und Antisemitismus - Österreich

1010 Wien, Rockhgasse 1

Tel: 0676/7837307, <http://www.repclub.at/licra>

**Verein Peregrina – Beratungsstelle für ausländische Frauen**

1090 Wien, Währingerstraße 59/6/1

Tel: 01/408 33 52 - 408 61 19, Fax: 01/408 0416, email: beratung.peregrina@netway.at

Contact: Mag. Gamze Ongan, Mag. Katharina Echsel

**WIF- Wiener Integrationsfonds**<http://www.wif.wien.at>**Verein ZARA - Zivilcourage und Anti-Rassismus-Arbeit**

Beratungsstelle für Zeugen und Opfer von Rassismus

Tel: 01/929 13 99 email: zara_vienna@t0.or.at, <http://www.zara.or.at>

Mon - Thurs 9.30 - 16.00, Thurs until 20.00

ZARA is a team of social workers and legally trained counsellors specialised in information and intervention in cases of racial discrimination.

ZARA provides information and counselling to both witnesses and victims of racism. Legal steps, intervention and accompaniment through the process of clarifying cases or going to court are just a few of the services offered by the ZARA team.

- ZARA provides information about legal and other steps against incidents of racism.
- ZARA supports clients and accompanies them in taking mutually agreed action.
- ZARA systematically documents all cases reported by witnesses.
- ZARA offers training, information material about racism and visits and talks at educational institutions. The ZARA counselling service is free of charge.

Further information on the ZARA website.



ZARA info made easy!

Verein ZARA
Zivilcourage und Anti-Rassismus-Arbeit
Postfach 220
A-1071 Wien

Fax: 01/524 99 00-9

e-mail: office@zara.or.at

I would like:

- ☐ to order copies of the Racism Report 2001 (paying only the postal charges)
- ☐ to receive a copy of the Racism Report 2002 (paying only the postal charges)
- ☐ to receive regular reports on the activities of ZARA: by ☐ per post ☐ by email
- ☐ to receive information about training offered by ZARA
- ☐ to take part in the work of ZARA as a volunteer
- ☐ to become a sponsor of ZARA and receive publications, annual reports etc.

Name

Address

email

Tel./Fax. (optional)

Signature

Personal data submitted will not be passed on to other people or institutions.



Zivilcourage und Anti-Rassismus-Arbeit

ZARA- Beratungsstelle für
Zeugen und Opfer von Rassismus

Das ZARA-Team ist für Terminvereinbarungen erreichbar:

MO, DI, MI 9.30h-13h und DO 16h-20h

Tel: 01-929 13 99

e-mail: office@zara.or.at

<http://www.zara.or.at>